REPORT TO THE PRESIDENT AND THE CONGRESS OF THE UNITED STATES

Advisory Council on Historic Preservation

1/985

1985

Y3.H62:

The President

The President of the Senate

The Speaker of the House of Representatives

Dear Sirs:

The Advisory Council on Historic Preservation herewith transmits its Annual Report for Fiscal Year 1985 in accordance with Section 202(b) of the National Historic Preservation Act of 1966, Public Law 89-665.

Respectfully submitted,

Cynthia Grassby Baker
Chairman

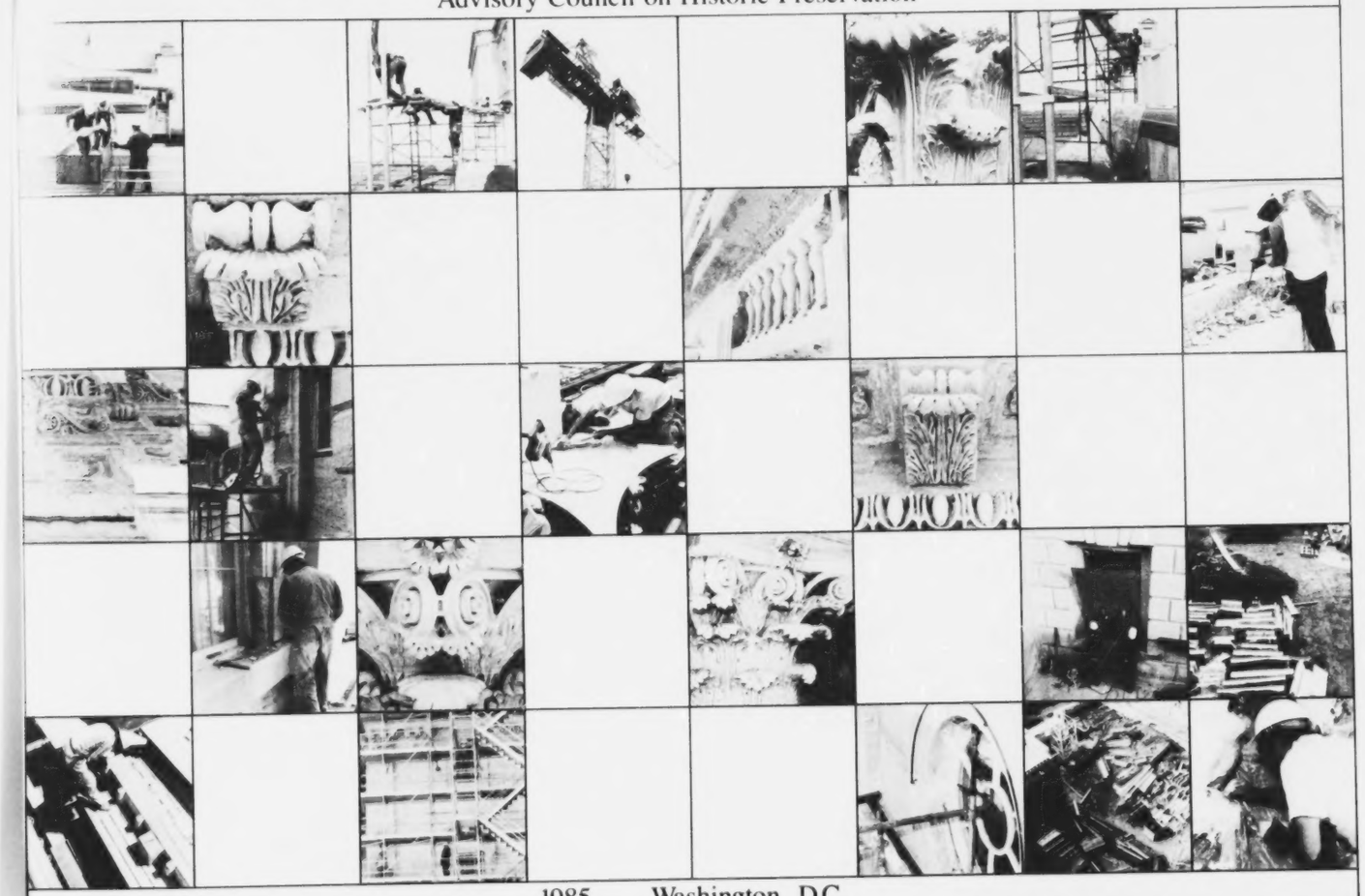
Washington, D.C.

As soon as each day's legislation work is completed, workers clamber onto a floodlit scaffold to drill 2-inch holes for supporting tie rods as part of a repair program on the West Front of the Capitol. Five-foot tie rods brace the walls and 37-foot rods strengthen the building's vaults. Thirty-five coats of paint have been removed from the facade through careful handwork, and one-third of the weaker surface sandstone is being replaced by pieces of limestone.

The crumbling sandstone first alarmed passers-by 20 years ago, and the fall-zone area was barred to pedestrians. After considerable debate over what to do about repeated warnings that the sandstone was yielding to dampness, Congress voted in 1983 for restoration of the West Front. The project, currently ahead of schedule and under budget, is to be completed by mid-1987. (Photos courtesy of the Architect of the Capitol.)

REPORT TO THE PRESIDENT AND THE CONGRESS OF THE UNITED STATES

Advisory Council on Historic Preservation



1985 Washington, D.C.

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Candace Clifford

THE CHAIRMAN'S MESSAGE

It is with pride and a sense of great privilege that I submit this "Report to the President and the Congress of the United States." This report addresses the achievements of the Advisory Council on Historic Preservation in 1985 and provides an overview of the accomplishments of the national historic preservation program throughout the country.

When Alexander Aldrich completed his term as Chairman of the Advisory Council on Historic Preservation in July 1985, I was honored to be appointed as the new Chairman. My philosophical approach to preservation is one of balance, of taking a realistic approach to weighing preservation needs with other important needs. I share the enthusiasm for preserving our country's heritage that has grown dramatically since the 1960's. The effort, determination, and unbounded commitment of preservationists and concerned citizens has presented each of us with an unprecedented opportunity to enjoy our heritage and to better understand our Nation's history. The Council will continue to do its part to foster the growth of preservation activities.

Nineteen eighty-five has been a year of achievement; 1986 will be a year of challenge and opportunity. Another significant change in administration will occur as Robert R. Garvey, Jr., retires as Executive Director of the Council on March 3, 1986. Mr. Garvey has served our Government for 22 years with honor and dignity. He has been an effective administrator and a leading preservationist whose career was highlighted by a Presidential Rank Award from President Reagan in recognition of his outstanding accomplishments in the Senior Executive Service. While it will be difficult to find a comparable successor to such a distinguished leader, a search has begun.

The Council supports the Administration's goal of balancing the Federal budget. While the transition to lower program levels will demand thoughtful and sensitive planning, the Council will do its part in concert with the Administration to achieve a balanced budget.

The Council devoted much of its time in 1985 to producing improved regulations implementing Section 106 of the National Historic Preservation Act of 1966. As fiscal year 1985 closed, we were preparing to publish proposed revisions for public comment. In 1986, the Council will address the major issues of regulatory reform, anticipating that final regulations will be in place by the end of fiscal year 1986.

October 15, 1986, will mark the 20th anniversary of the National Historic Preservation Act. The Council is undertaking a comprehensive assessment of the achievements of the act and preparing recommendations to improve its effectiveness. This effort will complement related reviews that are being conducted by the Department of the Interior and the Congress. The Council will assess those historic preservation activities of Federal agencies, State Historic Preservation Officers, and local governments that have been authorized by the National Historic Preservation Act. This assessment and its accompanying recommendations will be presented to the President and the Congress as the Council's 1986 annual report.

Nineteen eighty-six will also mark a significant international historic preservation event. Since 1970, the Council has coordinated the United States' involvement in the activities of the International Centre for the Study of the Preservation and Restoration of Cultural Property (ICCROM). In 1986, the biennial General Assembly of the International Centre will convene to review the Centre's programs and achievements and to chart its course for the next two years. The Council will recommend a delegation to represent the United States and will continue the leadership role our country has traditionally exercised in this important international preservation body. Active U.S. involvement supported by the Council will ensure that ICCROM continues to provide the unique training, technical assistance, and opportunities for exchange of knowledge that have contributed to preservation throughout the world.

As we reflect on the achievements of 1985 and look ahead to the challenges and opportunities of 1986, I am confident that the Council will continue to discharge its responsibilities with excellence. We will capitalize on our resources, fulfilling our role in the national historic preservation program of encouraging both private and public interest and participation in historic preservation, recommending the conduct of studies, providing guidelines for the assistance of State and local governments, reviewing the policies and programs of Federal agencies, and informing and educating Federal, State, and local officials about the Council's activities as we reach for a balanced approach to the protection of our Nation's historical and cultural legacy.

Cynthia Grassby Baker
Chairman

Washington, D.C.

Washington, D.C.'s Old Post Office Building serves as headquarters for the Advisory Council on Historic Preservation. A detail of the atrium is shown.

MEMBERS OF THE COUNCIL

Figure 1.

September 30, 1985

Cynthia Grassby Baker, Chairman (Colorado)

Robert O. Johns, D.P.M., Vice Chairman (California)

Clifton Caldwell (Texas)
Roger A. DeWeese (California)
Jennifer Blackburn Dunn (Washington)
Thomas B. Muths (Virginia and Wyoming)
Bruce Nestande (California)
Mimi Rodden (Nevada)

Honorable Michael Newbold Castle, Governor of Delaware

Honorable William J. Althaus, Mayor of York, Pennsylvania

Chairman, National Trust for Historic Preservation

President, National Conference of State Historic Preservation Officers

Architect of the Capitol
Secretary of Agriculture
Secretary of the Interior

Director of the Office of Administration
Secretary of Housing and Urban Development
Secretary of Transportation
Secretary of the Treasury

FINANCIAL STATEMENT

Figure 2.

	FY 1985 (Estimated)	FY 1984 (Final)
Appropriation: Income	**$1,546,000**	**$1,557,000**
Expenditures		
Personnel Compensation	1,015,000	983,000
Personnel Benefits	96,000	92,000
Travel	100,000	88,000
Rent, Communications	216,000	214,000
Printing	24,000	31,000
Other Services	72,000	96,000
Supplies	18,000	25,000
Equipment	5,000	28,000
Subtotal	$1,546,000	$1,557,000
Agency Transfers: Income	$49,000	$46,000
Expenditures		
Personnel Compensation/Benefits	49,000	46,000
Subtotal	$49,000	$46,000
Grand Total Income	**$1,595,000**	**$1,603,000**
Grand Total Expenditure	**$1,595,000**	**$1,603,000**

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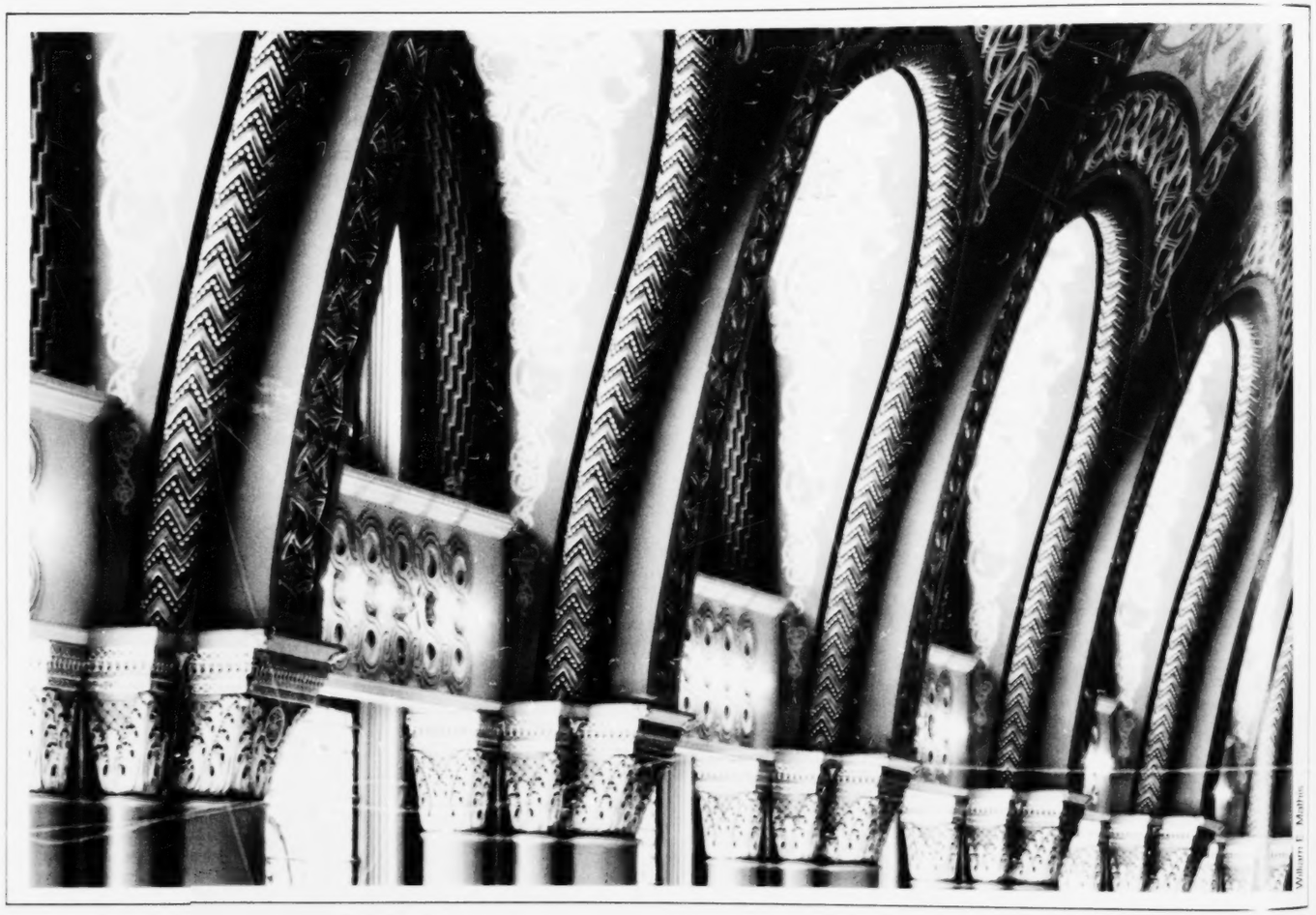
ADVISORY COUNCIL ON HISTORIC PRESERVATION: YEAR IN REVIEW

William E. Mathis

The $140 million conversion of the St. Louis Union Station was the subject of extensive consultation between the Council, the city of St. Louis, and the developer. All work was carried out according to the terms of a Memorandum of Agreement. (Photo courtesy of the Rouse Company of St. Louis.)



ADVISORY COUNCIL ON HISTORIC PRESERVATION: YEAR IN REVIEW

Nineteen eighty-five was a year of progress and change for the Advisory Council on Historic Preservation and the national historic preservation program. As the year closed, a new chairman, Cynthia Grassby Baker of Denver, was appointed by President Reagan as the Chairman of the Council and the new Council regulations were moving into place, culminating four years of review. Progress was evident in the established programs of the Council, as Federal project review, agency program improvement, and training advanced historic preservation across the country. Similarly, the Council launched efforts to improve the ability of State and local governments to take more active roles in the national historic preservation program through regulatory revisions and legislative guidance.

On the broader historic preservation front, 1985 was also a banner year, although serious challenges had to be, and in some cases are yet to be, overcome. Private investment in the rehabilitation of historic properties rose as developers continued to make extensive use of Federal tax incentives for historic preservation. Despite threats to the Federal preservation budget, strong support from the Congress, citizens, and State and local governments ensured that the Federal share of the national preservation program continued to flow. The combination of widespread public commitment to preserving America's heritage and the knowledge of preservation in the marketplace contributed to an outstanding year for the program. However, as the year closed, discussions continued over tax reform proposals that threaten to eliminate or significantly reduce the preservation tax incentives, and preservationists were gearing up for what has become an annual commitment to ensure Federal support for the national historic preservation program.

The Council, as called upon by the National Historic Preservation Act of 1966, has prepared this annual report on its activities and historic preservation activities throughout the Nation. The first section of the report covers the mission and significant activities of the Council during fiscal year 1985. The second section treats preservation efforts nationwide and includes discussion of economic and social issues that affect preservation; identification of special preservation problems and possible remedies; techniques employed at Federal, State, and local levels to further preservation goals and objectives; legislative initiatives undertaken during the year; and an account of various achievements in implementing national preservation policy.

William E. Mathis

The most ambitious project to ever qualify for investment tax credits, the St. Louis Union Station also benefited from an Urban Development Action Grant. The station includes a hotel and extensive retail space housed beneath the old train shed roof. (Photos courtesy of the Rouse Company of St. Louis.)

William E. Mathis

About the Council

The Council is an independent Federal agency established by the National Historic Preservation Act of 1966. It is composed of 19 members, including six Federal Department heads; four members of the general public appointed by the President; four historic preservation experts appointed by the President; the Architect of the Capitol; one governor and one mayor; the Chairman of the National Trust for Historic Preservation; and the President of the National Conference of State Historic Preservation Officers. The full membership list appears on page iv of this report.

On July 26, 1985, President Reagan appointed four new members to the Council: Chairman Cynthia Grassby Baker of Denver, Colorado; Jennifer Blackburn Dunn of Bellevue, Washington; Governor Michael N. Castle of Delaware; and Mayor William J. Althaus of York, Pennsylvania. Completing Council terms of service were former Chairman Alexander Aldrich of Saratoga Springs, New York; Calvin Carter of Tampa, Florida; Governor Victor Atiyeh of Oregon; and Mayor Ginger Bremberg of Glendale, California.

The Council has two principal duties: to advise the President and the Congress on matters concerning the national preservation program and to oversee the process devised by Congress, under Section 106 of the National Historic Preservation Act, to protect historic properties from needless harm by Federal activities. In 1985, the Council had $1,546 million and 33 employees to carry out its mission.

The Council conducts a variety of daily activities that shape the national historic preservation program. Foremost among these is the Council's review of Federal projects affecting historic properties, conducted under Section 106. Over 40,000 Federal actions a year require Section 106 review, ranging from minor renovation projects to vast public works construction. Many of the Council's other activities directly support its Section 106 work—training, agency program improvement, interagency coordination, technical guidance, and the like.

However, the Council also undertakes, within its budget, a number of activities to advance historic preservation in general. These include advice on State legislation, coordination of international historic preservation activities, and the preservation overview and assessments collected in this report. Combined with its Section 106 duties, these broader advisory and informational responsibilities give the Council a uniquely important role in the national historic preservation program.

Cynthia Grassby Baker, of Denver, Colorado, is sworn in as Council Chairman by Secretary of Education William J. Bennett on September 9, 1985. (Photo courtesy of the U.S. Department of Education.)

Steve Stewart, DOI

Council Chairman Baker and Executive Director Garvey meet with senior staff members Thomas F. King and John M. Fowler.

How Section 106 Works

The Council reviews and evaluates many projects through the Section 106 process. Under Section 106 of the National Historic Preservation Act (NHPA), Federal agencies are required "to take into account" the effects of their undertakings on historic properties and "afford the Council a reasonable opportunity to comment" on such undertakings. In establishing a process for compliance with Section 106, the Council has combined these two responsibilities. Thus the rendering of Council comment is an integral part of each agency's effort to take into account the effects of its undertakings.

When adverse effects on historic property are likely as the result of a Federal agency's action, the agency enters into consultation with the State Historic Preservation Officer (SHPO), the Council, and, when appropriate, other interested parties. This ensures that a reasonable effort is made to evaluate alternatives that could preserve the affected historic property.

In most cases, such consultation results in resolution of the conflict between the agency's action and the preservation of historic property. The process either enables the consulting parties to develop ways to avoid or mitigate the adverse effects on the property or results in their agreement that the historic property must yield to project needs in the public interest. In either case, the parties' agreement is written and signed in a Memorandum of Agreement (MOA). The undertaking then proceeds according to the terms of the MOA. In those rare cases in which agreement is not reached, either the full Council or a panel of Council members comments formally, after which the agency takes the comments of the Council into account.

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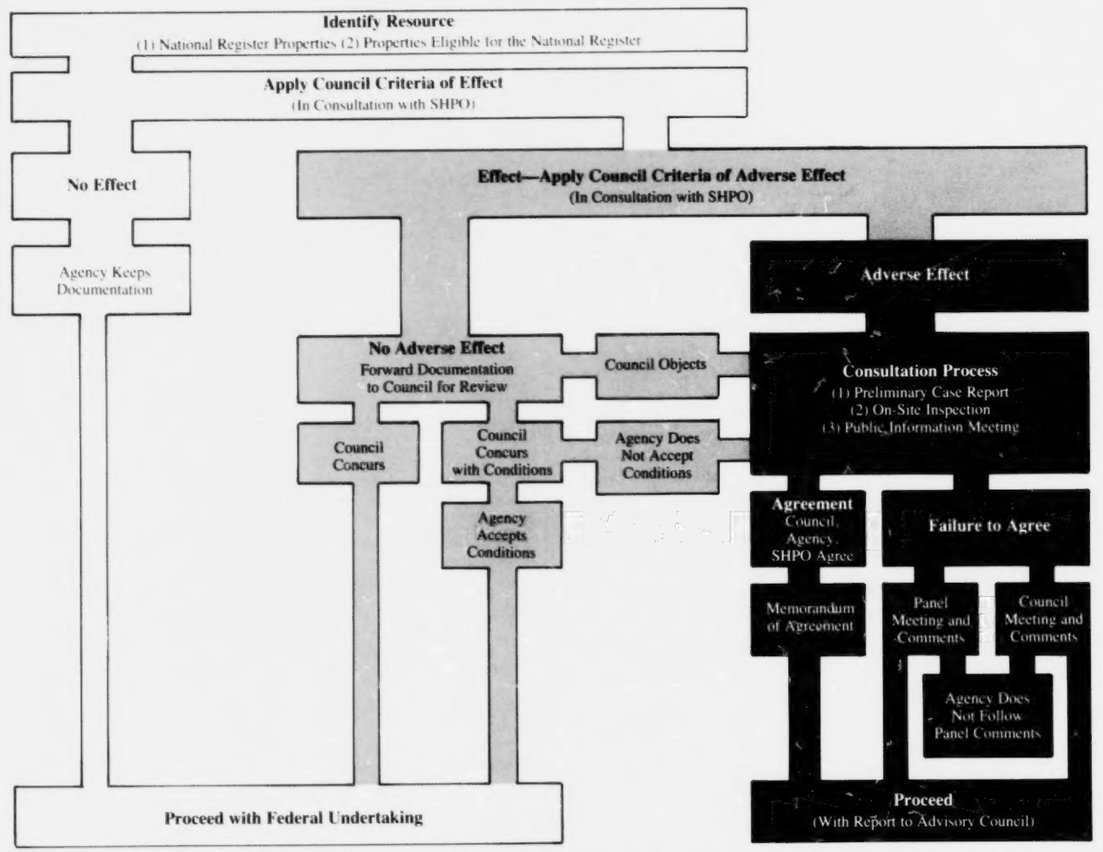
Under Section 106 of the National Historic Preservation Act, Federal agencies are required to take into account the effects of their undertakings on historic properties and afford the Council an opportunity to comment on such undertakings.

The Council consulted with the General Services Administration concerning proposed rehabilitation plans for the National Building Museum in Washington, D.C., which opened its first public exhibition galleries in October 1985 after the initial renovation phase was completed. The private, nonprofit museum was authorized by the 1980 amendments to NHPA, and received a Congressional appropriation for 1985. The museum is housed in the Federally owned Pension Building. (Photos courtesy of the National Building Museum and Giorgio Cavaglieri, Architect.)

THE SECTION 106 REVIEW PROCESS: HOW IT WORKS

Figure 3.



Proposed Changes to the Section 106 Regulations

In fiscal year 1985, the Council continued to expend its major efforts and commit its principal resources to Section 106 activities. Among the Council's highest priorities for the year were completion and approval for publication of revised Section 106 regulations. The regulations are the framework in which agencies participate in the commenting process.

Both the existing review process and proposed revisions embody certain basic principles: *Identification* of properties listed in or eligible for the National Register of Historic Places that could be affected by an agency's action; *determination of potential harmful effects* to the historic property as a result of the agency's action; and *consultation* to resolve any conflicts between agency actions and historic preservation concerns. In both the existing and proposed regulations, the agency makes the final decision about how or whether to proceed with its project or activity.

The proposed regulations would make a number of changes in the existing Section 106 review system, including the following major proposals:

- Roles of Section 106 review participants are more clearly defined, with special encouragement for the participation of Native Americans in response to the American Indian Religious Freedom Act [42 U.S.C. Section 1996].
- Encouragement of public participation in the review process is increased.
- Agencies are encouraged to complete programmatic Section 106 review when classes of similar historic properties may be affected by an undertaking in a uniform manner, thereby eliminating the need for case-by-case review and promoting routine methods for treating commonly occurring effects.
- New flexibility is provided for agencies in using the regulations.
- Determinations of eligibility for the National Register of Historic Places have been simplified by accepting joint agency and SHPO determinations on whether a property meets the National Register eligibility criteria instead of requiring subsequent review by the Department of the Interior.
- Definitions of "effect" and "adverse effect" have been revised to eliminate the term "adverse effect," resulting in simplified review steps for situations in which projected impacts fall below a certain threshold.
- The Council's commenting process has been restructured to relate the degree of Council involvement to the complexity of each case and the extent of conflict. Agencies are encouraged to consult directly with the State Historic Preservation Officer in routine cases to develop and sign a Memorandum of Agreement, which the Council then reviews.
- A system is devised for determining when the Council's opportunity to comment has been foreclosed.
- A new section provides for State/Council agreements to substitute individual State Section 106 review systems for the Council's Section 106 review process as defined by the regulations, encouraging the use of State processes to deal with Federal project impacts.
- A greater degree of Council involvement is provided in cases in which there are projected effects on National Historic Landmarks, implementing Section 110(f) of the National Historic Preservation Act of 1966, as amended.
- [illegible] been added to deal [illegible] situations.
- [illegible] requirements have been [illegible] them more flexible.

The Council anticipates that these changes, implemented in 1986, will improve the efficiency of the Section 106 process while [illegible] agencies to develop better internal preservation capabilities and offering greater opportunities for the involvement of State and local governments and the public.

How Section 106 Review Worked in 1985

Caseload Increased During Year

The Council conducts its project review activities through the Office of Cultural Resource Preservation, which is divided into the Eastern Division of Project Review (EDPR) in Washington, D.C., and the Western Division of Project Review (WDPR) in Denver, Colorado. EDPR has seven caseworkers, and WDPR has four. During fiscal year 1985, Council casework under Section 106 increased, particularly in the preparation of Memoranda of Agreement. The Council executed 318 MOA's during the year, an increase of 76 from 1984. During the same period, the Council concurred in 601 agency determinations that the undertakings would have no adverse effect on historic properties. This total represents a small decrease from that of previous years.

The increase in cases resulting in MOA's has placed some strain on the Council's 11 caseworkers, each of whom negotiated an average of 29 MOA's during the year, or approximately 2 per month. However, the smaller number of determinations of no adverse effect [illegible] of review, agency use of the ex[illegible] MOA process that is discussed bel[illegible] automation of the Council's word pro[illegible] system somewhat reduced the tim[illegible] effort involved in processing agreeme[illegible]

The Council had ac[illegible] expected a decreased caseload in 19[illegible] gely due to increased use of expedi[illegible]A's and Programmatic Memoranda [illegible]ement, which are discussed below un[illegible] Trends in Section 106 Review." Seve[illegible] factors appear to have contributed to the [illegible]sed caseload. One is the Council's train[illegible] program, which has familiarized large numbers of Federal, State, and local officials with the Section 106 process, making it easier for them to comply with the law and therefore making them more likely to do so. Another is that the Council's efforts to streamline the Section 106 process may have encouraged agencies to submit their projects for review.

The Council reviewed 1,05[illegible]es in detail under Section 106 in fiscal y[illegible]985. Of these, only one case required co[illegible]ation by the full 19-member Council. H[illegible]uncil Chairman Cynthia Grassby Bar[illegible] Executive Director Robert R. Garvey [illegible]iew a case.

Steve Stewart, DOI

Complex Cases Continued to Dominate

Although the use of expedited Memoranda of Agreement to process project cases has increased, the number of complex cases has remained somewhat stable. Much time is devoted to the review of these complex cases. Examples of such cases in 1985, in addition to those described above, include demolition of historic buildings to make way for the Holocaust Memorial on the Mall in Washington D.C.; a major highway project affecting several historic properties in Knoxville, Tennessee; military exercises affecting archeological sites at White Sands Missile Range, New Mexico, and Piñon Canyon, Colorado; and construction of a major power transmission line through New York State.

Consultation: A Means for Resolving Conflict

The Section 106 process is a means of resolving conflict through negotiation; it always involves compromise. The National Historic Preservation Act states that one of its major goals is "to foster conditions under which our modern society and our prehistoric and historic resources can exist in productive harmony and fulfill the social, economic, and other requirements of present and future generations." This is what the Council attempts to do through its Section 106 review process. When adverse effects of worthy projects are unavoidable, the Council attempts to find ways of mitigating them through consultation and negotiation with the Federal agency having jurisdiction in the case.

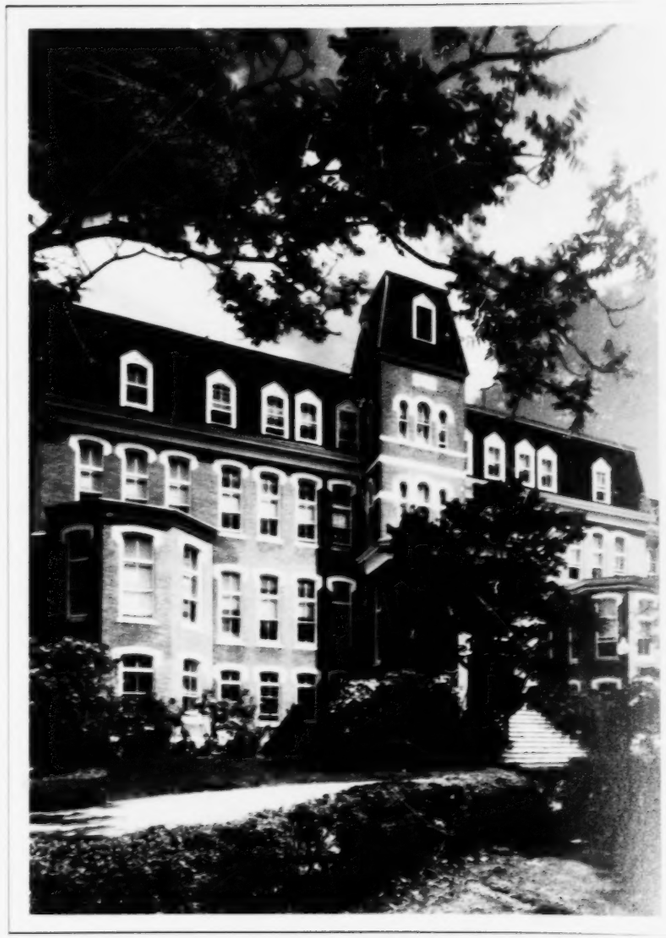
Rehabilitation and Preservation Treatments

Many MOA's provide for the rehabilitation of historic structures and prescribe methods of treatment to ensure their preservation. An example in fiscal year 1985 was an MOA ratified for the South Pack Square Redevelopment Project in Asheville, North Carolina, which was funded with both Urban Development Action Grant (UDAG) and Community Development Block Grant (CDBG) loans. Original plans called for retaining only the facades of 16 out of 23 historic structures. Negotiations among the Council, the North Carolina SHPO, the city, and developers resulted in agreement to rehabilitate 18 of the structures. Tax credits and conservation easements supported the project, which provides 125,000 square feet of office space and 15,000 square feet of retail space for minority businesses. The developers have also agreed to create in the complex an interpretive center showing the cultural and architectural history of the South Pack Square District.

In Milwaukee, Wisconsin, the city government proposed to assist in rehabilitating the former Blatz Brewery for 171 units of rental housing and some commercial facilities. An MOA provided for rehabilitation according to "The Secretary of the Interior's Standards for Rehabilitation," with review of final plans and specifications by the Wisconsin State Historic Preservation Officer. A similar solution was reached in Springfield, Ohio, where the city, using CDBG and UDAG funds, proposed to assist a developer in converting the Springfield City Building into a mixed-use office and commercial complex with a public market and theater. The MOA provides for rehabilitation according to "The Secretary of the Interior's Standards for Rehabilitation," with further review of plans and specifications by the Ohio State Historic Preservation Officer.

Several cases during 1985 involved the rehabilitation of railroad stations. For example, consultation was concluded with the Urban Mass Transportation Administration (UMTA) and the California SHPO regarding the State's acquisition of more than two dozen Southern Pacific Railroad depot facilities in the San Jose and San Francisco areas, five of which are either listed in or eligible for inclusion in the National Register of Historic Places because of their architectural significance. The depots will be adapted for public rail transit use after being rehabilitated in accordance with "The Secretary of the Interior's Standards for Rehabilitation."

The Council also worked with UMTA in two other cases involving the rehabilitation of historic railroad stations. In Attleboro, Massachusetts, UMTA will undertake exterior and interior rehabilitation in conjunction with the Massachusetts Bay Transportation Authority, after which the building will serve as a commuter train station. In Windsor, Connecticut, UMTA is helping to fund rehabilitation of the Windsor Railroad Station and Freight House. Both properties will be adaptively used, with a res-



Lafayette Place in Fall River, Massachusetts, a project reviewed under Section 106, now houses 74 apartments for the elderly. In many cases, Section 106 consultation provides for rehabilitating historic structures and prescribes methods of treatment to ensure their preservation. The buildings were originally a female academy, built in 1887, then the convent proper for the Sisters of Jesus and Mary. The design constraints imposed by the old buildings' physical eccentricities and the architect's desire to preserve their historic character produced apartments far more interesting than typical housing units. The project was reviewed by the Council under Section 106. (Photo courtesy of Boston Architectural Team, Inc.)

Another housing project completed after Section 106 consultation is Admiral's Hill, the former Chelsea Naval Hospital Site just across the Mystic River from Boston. The original 1859 Marine Hospital has been converted to apartments. (Photo courtesy of Boston Architectural Team, Inc.)

This huge 1860 mill on the Suncook River in New Hampshire is being converted into 71 apartments with Community Development Block Grant funds.

taurant in the station and offices in the freight house. However, both buildings will also continue to serve transit functions, with waiting rooms for train and bus passengers.

Modification of Original Plans

The effectiveness of the consultation process in preserving historic properties is evidenced by the fact that consultation often results in changes to and compromises in project plans. Several 1985 cases illustrate such modification.

Sometimes the central issue in a case involves the compatibility of a new building's design with its surrounding historic environment. In New Bern, North Carolina, the Council negotiated an MOA for UDAG-assisted construction of a multiuse waterfront project in the New Bern Historic District. Phase I of the project involved construction of a 4-story, 100-room Sheraton Hotel and approximately 10,000 square feet of conference and retail space, as well as a pedestrian walkway, a 100-slip marina, and on-grade parking facilities. Phase II involved construction of a condominium complex of 45–90 units of housing and other development. Negotiations led to agreement that the contractor would develop plans for both phases of the project in consultation with the North Carolina SHPO, following guidelines to ensure that the new development maintains the district's traditional relationship to the waterfront.

In Seattle, Washington, the city of Seattle, using UDAG monies, proposed to assist the Olympic Block Project, which includes a new mixed use building and the rehabilitation of two historic buildings. Initial plans showed a daring, Post-Modern-style new building facing Pioneer Square, an important tourist attraction and focus of the historic Victorian-style commercial area.

Steven Zane

Steven Zane

The kilns of Dixon Crucible in Jersey City, New Jersey, were documented by the Historic American Engineering Record before the factory was converted into apartments. Financed by a Community Development Block Grant, the project was subject to Section 106 review. (Photos courtesy of HABS/HAER.)

Because the proposal stirred substantial public controversy, the Council requested that the city sponsor a series of public design workshops on how to revise the design to make the building more compatible with Pioneer Square. The workshops occurred while construction proceeded on the building. The Council and the city then met with the project developers and worked out a compromise design using many of the suggestions from the public workshops. The Council concurred with the Pioneer Square Preservation Board's approval of the revised design for a wholly contemporary new building that blends better with Pioneer Square.

The Economic Development Administration (EDA) required Council comment on its proposed grant to assist in the renovation of one of the few remaining open market buildings in the historic Vieux Carré Historic District of New Orleans, Louisiana. The Louisiana SHPO and the Council objected to the inclusion of skylights that were not in character with the architectural style of the building and with surrounding properties. As a result, EDA conditioned its grant approval on the deletion of skylights from the developer's plans and on review by the Louisiana SHPO prior to final grant approval.

The city of Grand Rapids, Michigan, submitted the Steketee's Department Store Renovation Project to the Council in May, proposing demolition of one of four historic buildings to allow the developer to construct a new office building. Following extensive consultation, the developer and city found that they could retain the building and include it in the proposed renovation activities.

In August 1984, the Council received plans from the National Park Service (NPS) for construction of an addition to the Engi-

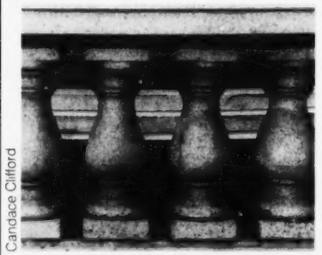
Many Section 106 cases involve the rehabilitation of train stations. Vacant for the past 16 years, Albany's Union Station has been acquired by the Norstar Bancorp to be rehabilitated as its new corporate headquarters. The extent of damage wrought by years of neglect is very evident in the interior of the station. The corporation will receive a $2.8 million Urban Development Action Grant to redevelop the station, which is individually listed in the National Register of Historic Places. (Photos courtesy of Norstar Bancorp.)

neers' Storehouse in East Potomac Park in Washington, D.C. The early 20th-century structure on the Washington Channel is used by the NPS for administrative offices. Plans called for a 1-story addition to both the seaward and landward sides that replicated the design of the building. The Council suggested that a 2-story addition on the landward side would be more compatible with the building's original appearance, and that the addition would avoid the misrepresentation inherent in replicating the existing building. Following study, the NPS responded favorably and adopted the Council's recommendations in its redesigned proposal.

When the Council first reviewed plans in 1983 for expansion of the Long Island College Hospital (LICH) in Brooklyn, New York, the Department of Health and Human Services had determined that its proposed undertaking would not adversely affect any historic properties. The Council objected because the project clearly would have had an adverse effect on the Cobble Hill Historic District, the historic Polhemus Clinic, and a late-19th-century commercial strip on Atlantic Avenue. As originally proposed, the expansion project would have filled in a grassy open 'U' formed by the main hospital building. The Polhemus Clinic and Atlantic Street Buildings would have been vacant and subject to demolition. A small park area prominently located within the historic district would also have been developed as a parking garage.

With citizen concern about the project growing, the sponsors agreed during the Section 106 consultation to significant changes that responded to the concerns raised by the Council. Infill buildings will now be located behind the hospital, the parking structure will be relocated to another site not visible from the historic district, and open space important to the district will remain. In addition, LICH has decided to retain and rehabilitate Polhemus Clinic and the Atlantic Street buildings for hospital-related purposes.

Occasionally, the Section 106 process results in a reversal from proposed demolition to complete restoration. Such was the case with historic structures serving as administrative offices for the Redbird Ranger District in the Daniel Boone National Forest in Kentucky. Initially, the Forest Service proposed replacement of the buildings. However, through consultation alternative ways were identified to economically rehabilitate the buildings. These methods met Forest Service needs while retaining the historic and architectural character of these buildings, and they will be saved.



Candace Clifford

The 1907 Union Station in Washington, D.C., saw its peak of train travel during 1932. Saved from demolition by Congress in 1968, the station became a National Visitor Center for the bicentennial, but was closed shortly thereafter when the roof began to leak. The station will be rehabilitated to accommodate retail and office space, costing over $140 million in public and private funds. The Council has been actively involved in the review of redevelopment plans to return the station to its original splendor.

Candace Clifford

Partial Reuse

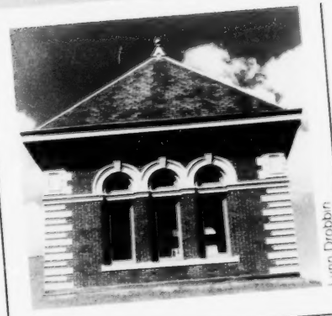
It is possible at times to save some buildings while sacrificing others to achieve an economically viable project that will help to rejuvenate and revitalize a historic area or neighborhood. Three cases in 1985 illustrate this point.

Using UDAG funds, the city of Cedar Rapids, Iowa, proposed to build a parking garage and pedestrian skywalk in conjunction with construction of the Galleria mall. An MOA provided for recording of three properties before demolition, compatible design for new construction, and rehabilitation of the Iowa-Illinois Gas Building and the Montrose Hotel according to "The Secretary of the Interior's Standards for Rehabilitation." The Iowa State Historic Preservation Officer was to review final plans and specifications.

Another UDAG case involved the city of Toledo, Ohio, which proposed to assist construction of a new downtown convention center and hotel complex. An MOA provided for recording of buildings to be demolished, salvage of architectural elements, design of the convention center complex in accordance with "The Secretary of the Interior's Standards for Rehabilitation," consultation with the Ohio State Historic Preservation Officer regarding the design of all pedestrian connectors, and marketing threatened buildings and facades for relocation.

In Philadelphia, an MOA guaranteed preservation of principal elements of a former steel complex. The city had submitted an application to the Economic Development Administration requesting financial assistance for implementing the Midvale-Heppenstall Industrial Park Project, which involved one of the first State-designated enterprise zones. The project called for re-

The rehabilitation of the Plainfield Station, located on the NJ TRANSIT Raritan Valley Line, consisted of repair and refinishing of all woodwork, including the original built-in wood slat benches; removing graffiti from the exterior brick and limestone surfaces; rebuilding the tongue-and-groove wood slat soffits of the canopies on the train platform; reshingling the roof; replacing glazing and doors; and adding new heating, plumbing, and electrical systems. The $600,000 rehabilitation was funded by the Urban Mass Transportation Administration and subject to Section 106 review. (Photos courtesy of NJ TRANSIT.)



Lynn Drobbin

development of the Midvale Steel Complex, one of the first steel manufacturing facilities in the city. After efforts to market the complex failed, the city successfully negotiated to acquire it. New light industrial facilities are to be developed on the site, increasing the city's economic base and creating jobs for inner-city residents. The Council concluded an agreement that provided for retaining the larger buildings for use by the regional bus company and documenting the remainder of the site before it is cleared for redevelopment.

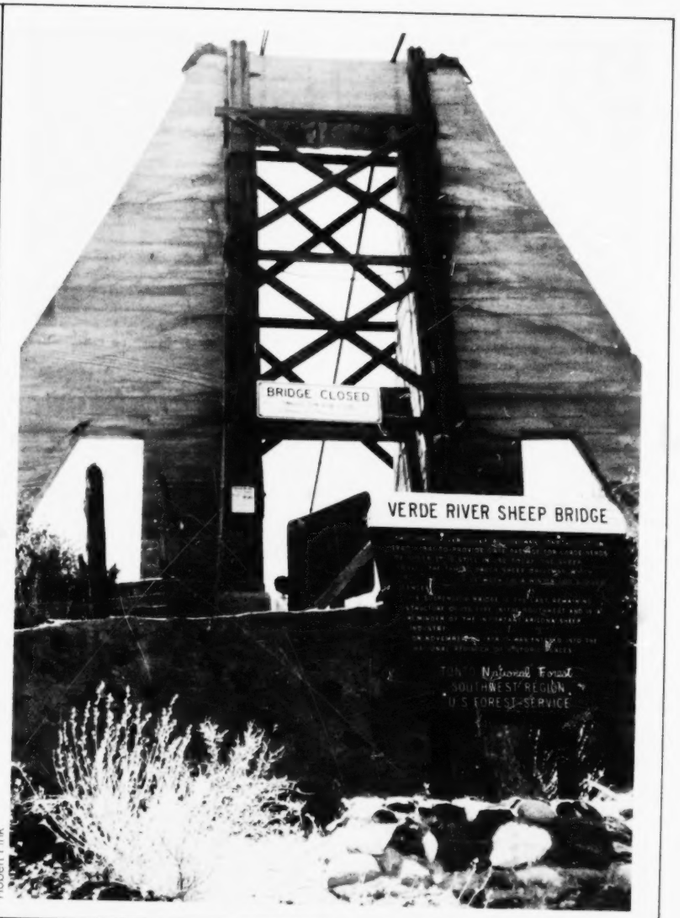
Recording Before Demolition

Perhaps the minimal mitigation of an undertaking is to require the agency to make a documentary record of whatever historic property will be destroyed. For instance, the Council has been involved since 1976 with various FHWA proposals to replace the 1921 Niantic River Bridge between East Lime and Waterford, Connecticut. Conflicting height requirements have delayed plans for the replacement structure for a long time. The problems have only recently been resolved, enabling FHWA to complete the Section 106 process.

A small group of citizens has strongly opposed the project because of its high cost and possible effects on commercial fishing in the Niantic River. However, there appeared to be little genuine belief that the bridge should be saved because of its historic value. At FHWA's request, the Council conducted a joint public meeting on the project in November 1984. While the meeting was well attended, there was virtually no public testimony on the historic character of the bridge. Testimony dealt instead with other social, community, and environmental concerns. FHWA's evidence that the structure could not be repaired, coupled with the information gleaned at the public information meeting, resulted in an MOA providing for demolition of the bridge after recording. While there may have been valid environmental reasons to object to the project, there were no apparent historic preservation issues, and therefore the project did not warrant further Section 106 review.

A similar case involved a historic corn elevator in Stockton, California. As a result of a long-range development program assisted by Urban Development Action Grants, the city of Stockton asked the Council to comment on the proposed demolition of the Sperry Corn Elevator, a local landmark since the 1920's. The structure has been a symbol of the San Joaquin Valley's economically successful experiment with corn production. Alternatives that were considered included adapting the 7-story reinforced concrete structure for other uses, but the nature of its construction and its relatively small usable interior space prohibited most adaptive uses. Under the terms of the MOA, the structure will be recorded prior to demolition. A historical marker, now attached to the building, will be preserved for display in the vicinity.

A specific example of the benefits of early Section 106 coordination involves the Verde River Sheep Trail Bridge in Tonto National Forest, Arizona. It is important as a remnant of Arizona's once-thriving sheepherding industry and for its engineering interest. After the Forest Service requested comments from the Council about proposed demolition of the bridge, a public information meeting was held to elicit public opinion about the importance of the historic bridge to the community. Although the bridge is too deteriorated to repair, its importance in local history will be appropriately commemorated.



Robert Fink

Early Coordination Avoids Problems

The review system works best when the Council is able to work with agencies in the early stages of project planning. Good examples of the benefits of such early coordination are found in the many "process-oriented" Memoranda of Agreement executed with cities covering their use of Community Development Block Grants. In accepting CDBG funds, cities assume the responsibility to carry out Federal environmental reviews on their projects, including Section 106 review. Many use their CDBG funds for programs to rehabilitate and revitalize older residences and commercial areas, which are often eligible for inclusion in the National Register.

The typical CDBG Memorandum of Agreement establishes a system for determining which buildings are eligible for

The Connecticut Department of Transportation and the Federal Highway Administration plan to rehabilitate the East Haddam Bridge at a cost of $5.2 million. Built in 1912 over the Connecticut River, the bridge consists of three spans, a 99-foot Warren deck truss, a 326-foot Pennsylvania through truss, and a 458-foot swing span Pratt through truss. (Photo courtesy of the Connecticut Department of Transportation.)

The State Highway Department of Colorado, in cooperation with the Colorado SHPO, has completed an extensive survey of the State's bridges. The work has been done in anticipation of future Section 106 cases, and will help to ensure smoother compliance with NHPA. The Roubideau Bridge, one of 64 bridges determined eligible for the National Register, spans the Gunnison River near Delta. Of the 550 Colorado bridges evaluated, the Roubideau was found unique for its riveted Warren through truss. (Photo courtesy of the Colorado Department of Highways.)

the Register; lists improvements to such buildings that are not subject to review; provides for rehabilitation to be done in accordance with "The Secretary of the Interior's Standards for Rehabilitation," with State Historic Preservation Officer (SHPO) review; and provides for cases involving conflict with the Standards to be reviewed by the Council. A city's CDBG program then can go forward, in coordination with the SHPO, with agreed-upon ground rules for avoiding conflict, and with a minimum of Federal participation.

A specific example of the benefits of early coordination involved the Verde River Sheep Bridge in the Tonto National Forest in Arizona. Built by Basque shepherds for moving their flocks across the river, the bridge now provides access to a wilderness area popular with backpackers. Badly deteriorated, the bridge is in danger of collapse, and the Forest Service plans to remove it. This plan has stirred great controversy, as the bridge is a symbol of the important Basque heritage in the area and is needed for access to the wilderness area. The Section 106 consultation process was employed during 1985 to bring the various concerned parties together. An onsite inspection demonstrated the severely deteriorated condition of the bridge and made it clear that repair was not feasible. In subsequent meetings, the parties have worked toward a mutually acceptable solution to the problem, which will probably involve replacement of the bridge and a commemorative plaque, which will provide historical documentation for the community and visitors.

Another example of fruitful early coordination involved National Park Service (NPS) planning for the Metcalf Bottoms, Little Greenbrier, and Wear Cover areas of Great Smokey Mountains National Park. The plan focused on two historic properties, the Walker Sisters farmstead and the Little Greenbrier School. Following initial discussions with the planning team in 1983 and review of a preliminary draft plan in 1984, the Council endorsed the selected alternative but recommended some changes. The NPS responded in a coordinated effort with the Council, and the National Park Service recently completed a Development Concept Plan, which will result in positive effects on the properties. As a result of this plan, both historic properties will be protected from vandalism and deterioration and incorporated into the park's public interpretive program.

Early coordination also led to a comprehensive MOA negotiated with the Economic Development Administration for a project in St. Louis. The agency is providing $1 million to the St. Louis Planned Industrial Expansion Authority to help finance commercial redevelopment within the city. The MOA provides for surveys and historic planning to determine if alternatives exist that will preserve historic properties and archeological sites that might be affected; design review for new construction by the Council and the Missouri State Historic Preservation Officer; and recording, architectural salvage, and data retrieval of properties to be disturbed or demolished.

An unusual instance of early coordination occurred during 1985 in a case involving reburial of human remains from a prehistoric Indian cemetery in Shawnee National Forest in Illinois. Vandals who exhumed the skeletal remains were apprehended and prosecuted, but the bones remained scattered on the ground. In cooperation with American Indians against Desecration, an American Indian group concerned with the treatment of their ancestors, the Forest Service proposed to rebury the remains. The Illinois SHPO asserted that their reburial might have adverse effects on the site's archeological value, as the site was eligible for the National Register and the remains could be subjected to study that might provide information about the site's history. The SHPO recommended that the Council review the matter. While agreeing with the SHPO, the Council also advised that reburial was appropriate if reasonable steps were taken to record information about the remains before reinterment. In consultation with the Illinois SHPO, the Council, and American Indians against Desecration, the Forest Service established a program to resolve the dispute. The bones would be subjected to nondestructive analysis by a physical anthropologist, after which they would be reburied with appropriate Indian ceremonies.

Nineteen eighty-five also provided examples of problems that can arise when early coordination does not occur. One project involved Ladd Field, a World War II airfield at Fort Wainwright in Alaska. Ladd Field had been the subject of consultation between the Army and the Alaska SHPO. The buildings were determined to be ineligible for the National Register by the Alaska SHPO. The Army, assuming the property to be ineligible, proceeded with plans for substantial demolition and remodeling prior to the Army's expansion of military forces in Alaska. Meanwhile, the National Park Service was conducting a Congressionally mandated study of sites in the Pacific associated with World War II for possible National Historic Landmark status. The Army discovered in 1985 that Ladd Field had been designated a landmark. Its plans were virtually complete for demolition of the old power plant at Ladd Field, significant remodeling of several hangars, and other changes. Additionally, substantial renovation was well underway on a number of barracks buildings.

An onsite visit followed by in-depth consultation provided an MOA. The Army was then in compliance with both Section 106 and Section 110(f) of the NHPA (the latter section provides special protection to National Historic Landmarks). Considering the advanced stage of the activity, few alternatives were realistically available. The MOA embodied acceptance of changes already made in the installation and emphasized coordination and standards for future planning.

Quick Action Helps the Process Work

Ideally, consultation should be carried out at a pace that ensures an opportunity to balance alternatives. When necessary, however, the review process can resolve problems quickly and effectively even in extremely short periods of time. Four cases in 1985 were typical of those needing immediate review.

During the winter, the Council was able to assist the city of Lebanon, Pennsylvania, in a situation in which the eligibility of a district for historic status was unclear. When a downtown area in Lebanon was originally nominated to the National Register as a historic district, the State review board rejected the nomination. Several years later, however, the SHPO determined the district eligible while reviewing a Federal Highway Administration project. The status of the district's eligibility became especially important to the city last winter when it needed to demonstrate compliance with Section 106 in order to be eligible for CDBG funds the city wanted to use for low-interest loans on commercial property rehabilitation. The Department of Housing

and Urban Development (HUD) had withheld the funds because of the city's failure to satisfy the requirements of Section 106.

The city requested a meeting with Pennsylvania Congressman Robert S. Walker in the hope of getting the historic district's eligibility rescinded. On January 3, 1985, the Council met with the congressman, the mayor of Lebanon and his staff, the Pennsylvania SHPO, and a representative from the National Register to discuss the matter. The Council advised that the issue of eligibility could be set aside for later resolution and recommended that in the meantime the parties could arrange to meet the requirements of Section 106. The city agreed to follow "The Secretary of the Interior's Standards for Rehabilitation" and to provide the SHPO the opportunity to review and comment on the undertaking on an ongoing basis. On January 4, letters detailing this agreement were sent, and HUD promptly released the CDBG funds.

On January 9, 1985, the Council received an urgent call from the Virginia SHPO requesting assistance in developing and expediting a Memorandum of Agreement for a downtown mixed-use and residential complex in Roanoke, Virginia, that was the subject of a pending $3.5 million UDAG application. After helping the SHPO staff draft an MOA over the telephone that provided for rehabilitation of a hotel and recording of one other structure before demolition, the Council received an expedited proposal for review on the afternoon of Friday, January 11. The document was reviewed and processed on Monday, January 14, and hand-carried to HUD in time to meet the UDAG office deadline of January 15. While the agreement still required ratification by the Chairman, the office consultation and review time totaled less than four working days. The Chairman of the Council ratified the final agreement on January 21.

The Council's ability to react quickly often results in significant savings. Within two days of receiving a request for comments from the Army Corps of Engineers on a permit for the Merrill Creek Reservoir Project, the Council ratified an MOA, thus saving the applicant large sums of money by preventing a costly delay. The reservoir project, which is located in Warren County, New Jersey, is being carried out by the Merrill Creek Owens Group (MCOG). Project plans call for flooding approximately 650 acres, including a portion of the Scotts Mountain Rural Historic District. This inundation will require removal of two historic structures, render archeological resources inaccessible, and alter the rural setting of that portion of the historic district which remains intact. To ensure mitigation of these effects, MCOG, the Corps, and the New Jersey SHPO prepared an expedited MOA providing for restoration of one of the district's most significant buildings, relocation or documentation of structures scheduled for demolition, and extensive archeological survey and data recovery. The Council received the expedited MOA on July 24th. To meet the applicant's contract deadline of August 1, review and ratification of the MOA was expedited, resulting in a 2-day turnaround for the project. In this case, the Council's prompt reaction was expedited by careful preliminary work by MCOG, the Corps, and the New Jersey SHPO.

Section 106 Review Often Saves Money

The Council has increasingly used the Section 106 process to promote cost-

Figure 4.

Case:	Boston Central Artery North Area, Charlestown, Massachusetts (FHWA)
Circumstance:	Archeological data recovery
Cost of original proposal:	ca. $2 million (est.)
Cost of agreed work:	ca. $1 million
Savings:	ca. $1 million (est.)
Case:	Smith Bay Vista Resort Hotel, St. Thomas, Virgin Islands (UDAG)
Circumstance:	Project design reconfiguration; archeological data recovery
Cost of original proposal:	ca. $25,000 (est.)
Cost of agreed work:	ca. $10,000 (est.)
Savings:	ca. $15,000 (est.)
Case:	Arthur's Bakery, Baltimore, Maryland (UMTA)
Circumstance:	Scale-down of preservation plan
Cost of original proposal:	$300,000
Cost of agreed work:	$50,000
Savings:	$250,000
Case:	Camp Wahsega, Lumpkin County, Georgia (USDA Forest Service)
Circumstance:	Agreement to donate buildings to non-Federal organization to reduce maintenance costs
Yearly savings to Forest Service:	Approximately $5,000 per year.
Case:	Excavation of Duwamish Archeological Site in Renton Effluent Transfer System, Seattle, Washington (EPA)
Circumstance:	Archeological data recovery
Cost of original proposal:	$1,400,000
Cost of agreed work:	$500,000
Savings:	$900,000

effective solutions to preservation problems. In some instances the Council has perceived Federal agency efforts to identify and preserve historic properties to be excessive. Also, studies by the General Accounting Office have questioned the costs of some preservation projects and preservation programs in general. The Council has given particular attention to minimizing the costs of archeological surveys and data recovery projects.

Presently, cost-effectiveness review takes place as opportunities arise. When a preservation activity proposed during Section 106 review appears to be unduly expensive, special efforts are made to review pertinent documents and explore alternatives with the agency involved. Memoranda of Agreement and similar documents often include provisions for the Council to review archeological data recovery plans and similar project proposals that are developed after the Section 106 review has been completed. During this post-agreement review, it is often possible to identify potential savings and recommend them to the sponsoring agency.

Also, the Council occasionally becomes aware of a project that has not yet been submitted for Council comment on which very high preservation-related costs are being incurred, usually related to identification efforts. In such cases, the Council requests the opportunity to review the activity and make recommendations. Recent and current cost-effectiveness reviews are set forth in Figure 4.

Trends in Section 106 Review

Several trends were apparent in the Section 106 cases handled during 1985. Major trends include increased use of expedited MOA's, increased numbers of Programmatic Memoranda of Agreement covering ongoing programs and projects, facilitated Section 106 review as a result of the Economic Recovery Tax Act of 1981, and increased participation by Native American groups in the review process.

Increased Use of Expedited MOA's

The Council established in 1982 an expedited review process. Under expedited review, agencies consult directly with SHPO's to seek mitigation of adverse effects caused by their undertakings. The agency and the SHPO draft a proposed MOA and present it to the Council for acceptance. Further consultation may be recommended by the Council.

The expedited Memorandum of Agreement was used frequently in 1985, reflecting the growing ease with which agencies and SHPO's manage the Section 106 process. Increasing use of the Council's "Manual of Mitigation Measures (MOMM)," published in 1982, has also facilitated this trend. The "MOMM" contains standard-language stipulations for expedited Memoranda of Agreement addressing commonly occurring issues. When agencies and SHPO's use these standard stipulations, they can prepare legally sufficient agreements more quickly.

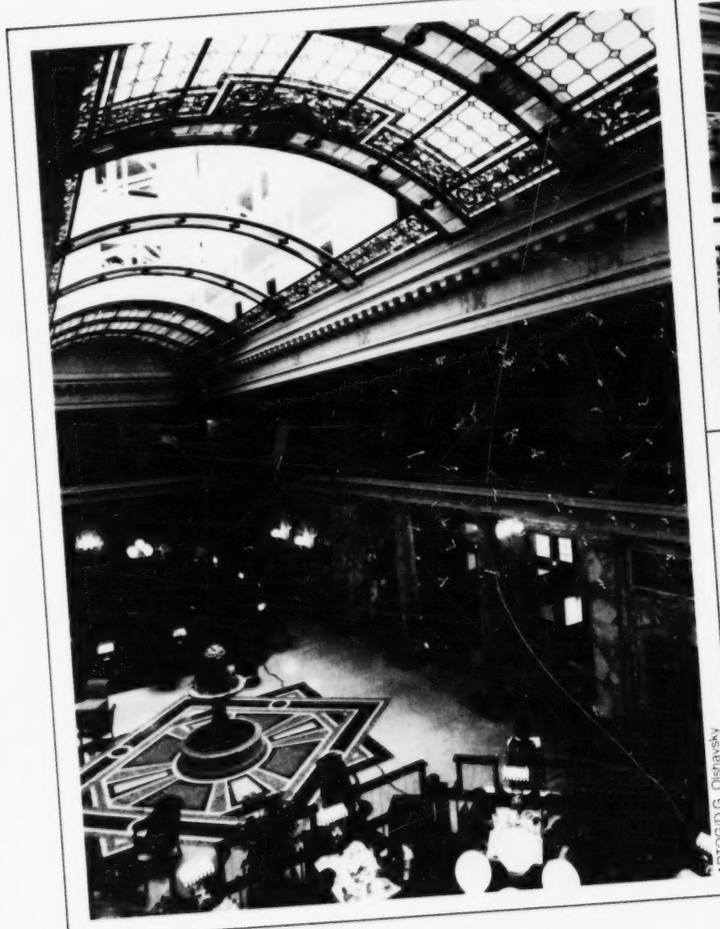
Additional Programmatic Memoranda of Agreement

The Council continued to work during 1985 with a number of agencies to develop Programmatic Memoranda of Agreement (PMOA's) to handle routine, recurring classes of cases and special programs and projects. PMOA's give agencies alternatives to the standard Section 106 review process set forth in the Council's regulations. While the standard process is flexible and applies to diverse situations, it does not necessarily apply well to all Federal agency programs and projects. Under 36 CFR §800.8, an agency that feels the need for a specially tailored process can work with the Council to develop a PMOA, in which the Council renders comments on an agency program in its entirety, rather than on individual projects or effects on individual properties that arise from a program. A PMOA can also be used when a very large project is under review and it is expedient to conduct Section 106 review before identification of historic properties and determinations of effect have occurred. Additionally, PMOA's can be used to render Council comment on such actions as the approval of a general land use plan under which individual actions will extend far into the future and their precise effects may be difficult or impossible to define at the time of review.

PMOA's involving actions in a single State are typically negotiated among the Council, the responsible agency, the State Historic Preservation Officer, and other interested parties. When several States are involved, all the pertinent State Historic Preservation Officers are usually among the consulting parties. When a PMOA has nationwide or near-nationwide applicability, the National Conference of State Historic Preservation Officers represents the States' interests.

During the year, the Council worked on PMOA's dealing with land management, entire agency programs, large individual programs, and areas containing many not-yet-recorded historic and cultural resources. For example, the Council executed a PMOA in May with the Bureau of Land Management; the SHPO's of California, Arizona, New Mexico, and Texas; and the All American Pipeline Company for the Celeron-All American Pipeline. The Celeron crude oil pipeline runs from Santa Barbara, California, to western Texas. The All American Pipeline Company took the lead in drafting the PMOA, which provides for recovery of archeological data along the pipeline as a single, integrated project addressing a major research question concerning the origins of social complexity. The general research design provides for survey and data recovery and for development of a plan specific to each of the States involved—Arizona, California, New Mexico, and Texas.

Another PMOA, executed with the U.S. Coast Guard, concerns the automation and leasing of historic lighthouses. This PMOA deals with situations in which the Coast Guard automates lighthouses and therefore no longer needs to have keepers residing on the grounds. Without keepers, the historic structures cannot be effectively maintained and secured against damage. The agreement provides that the Coast Guard will undertake leasing such properties to people who are willing to maintain them in accordance with "The Secretary of the Interior's Standards for Rehabilitation" and to agree to periodic inspections by the Coast Guard and the appropriate SHPO. The arrangement created by the PMOA solves the Coast Guard's maintenance problem, preserves the historic and architectural values of the lighthouses, and encourages their use by people in the private sector for productive purposes at no cost and potential profit to the Government.



ARTOG/D.G. Olshavsky

PMOA's in progress at year's end included one with the Interstate Commerce Commission covering abandonment of rail lines, one with the Department of Energy concerning selection of a site for high-level nuclear waste disposal, one with the Office of Surface Mining regarding reclamation of abandoned mines, and one with the Army covering all Army operations in Alaska.

The existence of the investment tax credit has greatly reduced the level of conflict that characterized much Section 106 review in urban areas prior to 1981. The Lackawanna Station in Scranton, Pennsylvania, benefited from the 25% investment tax credit, as well as UDAG funding. The project was reviewed by the Council under Section 106 and by the National Park Service for tax certification. (Photos courtesy of Buchanan, Ricciuti & Associates, Inc.)

Facilitated Review as a Result of ERTA

The existence of the investment tax credits made available by the Economic Recovery Tax Act (ERTA) has greatly reduced the level of conflict that characterized much Section 106 review in urban areas prior to 1981. Before ERTA, there were strong economic incentives to demolish old buildings and replace them with new construction. When Federal funds or permits were involved, only Section 106 was perceived to stand in the way of realizing such economic advantages, and the review process was fraught with conflict. Since passage of ERTA, the equation has been reversed. Rehabilitation is now profitable, and the great majority of projects coming to the Council from urban areas either emphasize rehabilitation or propose demolition only after thorough analysis of rehabilitation alternatives.

More Participation by American Indian Groups

Nineteen eighty-five saw a substantial increase in participation by American Indian groups in activities under Section 106 and other portions of the National Historic Preservation Act. Particularly, attention was focused during 1985 on the issue of reburying human remains exhumed during archeological excavations. Assertions by the Department of the Interior's Departmental Consulting Archeologist that such remains were scientific specimens that should be reburied only if they had little or no scientific value sparked protests from Indian groups. Several reburials took place during the year, many of them organized by American Indians against Desecration (AIaD), a national group concerned particularly with the treatment of the dead. Professional archeologists and the Society for American Archeology sponsored a major conference on the issue, with participation by AIaD, the National Congress of American Indians, other Indian groups, physical anthropologists, the Department of the Interior, and the Council.

AIaD has challenged the adequacy of Forest Service compliance with Section 106 and other aspects of NHPA in the Black Hills National Forest and elsewhere, and was also instrumental in arranging for the reburial discussed on page 17 in the Shawnee National Forest. Last year the group was the driving force behind a highly successful consultation with the Air Force that established a system for dealing with human remains and sacred areas during deployment of Peacekeeper missiles in Wyoming.

Other American Indian groups were also active in historic preservation during 1985. Several tribes in Arizona worked with the Federal Highway Administration and the Arizona Department of Transportation during archeological salvage operations on the Papago Freeway in Phoenix under a Memorandum of Agreement with the Council. The Colorado River Indian Tribes obtained an injunction halting issuance of Army Corps of Engineers permits for a project that they believe would effect fragile archeological sites on the desert plateaus along the Colorado River. A number of regional and national Indian organizations joined AIaD in its protest of Department of the Interior positions on reburial.

Also in 1985, the National Congress on American Indians invited the Council to participate in a conference dealing with the impacts of nuclear waste disposal on Indian concerns; the Jémez Pueblo joined other litigants in challenging the Forest Service's record of compliance with Section 106 in New Mexico; and the Karuk Indians in northern California sought to block timber cutting in the historic district along the Klamath River, where they carry out their World Renewal ceremonies.

The Kootenai Indians objected to a program of archeological data recovery on sites of both scientific and cultural value that are being eroded away on the shores of Lake Kookanusa in Montana. This stimulated a program of consultation with the Council, the Forest Service, and the Army Corps of Engineers that was continuing at year's end.

The Council is developing a working paper for dealing with contemporary consideration of traditional cultural values in Section 106 review. These were stimulated not only by the increasing need to address the reburial issue, but also by the increasing number of cases involving American Indian religious sites, historic neighborhoods where the cultural values and practices of residents are matters of concern, and rural landscapes where traditional land-use practices are vital to the maintenance of historic significance. A draft of the working paper was distributed to agencies, SHPO's, Indian tribes, and others late in 1985. Also, the National Park Service held a very successful training program concerning American Indian concerns during 1985, aimed primarily at its own staff but with participation by other agencies, including the Council, as well. Work continues on these important issues as this report goes to press.

When the System Fails

The Section 106 review process almost always results in an agreement concerning how the effects of a Federal action on historic properties can be avoided or mitigated. Sometimes, however, the system fails. The regulations provide a formal process for handling situations in which the consulting parties cannot reach agreement: such a case is referred to the Chairman, who decides how the Council will render a final comment. Usually the final comment is rendered either by the full Council or by a panel of Council members appointed by the Chairman. The agency proposing the undertaking is required to consider the Council's comment, after which it makes the final decision as to what to do about effects on historic properties.

The review system is sometimes foiled in two other ways. Occasionally an agency acts before seeking the Council's comments, which is referred to as foreclosing the Council's opportunity to comment and is contrary to the requirements of Section 106. In other cases, an agency may enter into a Memorandum of Agreement but then fail to abide by its terms, thus violating the agreement and, indirectly, Section 106.

Full Council Case

Long Beach Freeway, California

During fiscal year 1985, the full Council convened only once to issue comments on a case. On November 26 and 27, 1984, the Council met in South Pasadena, California, to consider a proposal to close an existing gap in the Long Beach Freeway (State Route 7) by creating a corridor passing through portions of the cities of Los Angeles and Pasadena and bisecting South Pasadena.

The California Department of Transportation (CALTRANS) had sought financial assistance from the Federal Highway Administration of the U.S. Department of Transportation; consequently, the project required Section 106 review. The matter was first considered by a Council panel, which convened in South Pasadena on October 18, 1983. The panel recommended other routes that would have a less profound impact on South Pasadena's historic neighborhoods. In response, CALTRANS agreed to prepare an analysis and evaluation of the alternatives, which would subsequently be considered by the full Council.

After hearing reports and testimony from parties involved in the case, the full Council recommended to the Secretary of Transportation that DOT consider certain of the suggested alternative routes. The Council advised against using the route as

planned. The project was still under consideration by CALTRANS and FWHA at year's end.

Updates on Previous Full Council Cases

During 1985, the Council also received information on the status of two cases previously commented upon by the full Council.

Memphis Street Railway Complex, Memphis, Tennessee

Three years ago, in 1982, a Council panel met in Memphis to review plans by the city to use CDBG funds to demolish the Memphis Streetcar Complex. Review of the case was complicated by the fact that in May 1980 the city had sold the property to the University of Tennessee and had agreed at the time of the sale to raze the buildings. The panel found the complex, which encompassed 250,000 square feet of space comprising two large car barns and a 2-story office building, to have tremendous potential for adaptive use. Supported by strong public opinion, the panel unanimously recommended that the complex not be demolished and that the city and university explore alternatives for reuse. In October 1982, the full Council voted to adopt the panel comments as its own.

Nothing was heard from the city until April 1985, when the Council received notice that the city intended to proceed with demolition. Earlier plans by the university to use the site for surface parking had been replaced by a proposal to use it for student housing. A review of the report provided by the city revealed no apparent effort during the intervening years to market the property or interest private developers in reusing the complex as the Council had urged. Furthermore, it was clear that the university never seriously considered adapting the existing structure for student housing. Having rendered its comments, however, the Council has no basis for further efforts to influence the city's use of the property.

Presidential Parkway, Atlanta, Georgia

On February 27 and 28, 1984, the Council convened in Atlanta, Georgia, to consider a proposed undertaking of the Federal Highway Administration (FHWA), an agency of the Department of Transportation, to construct an arterial connector. The highway was to begin at the existing Interstate 75/85 stub in downtown Atlanta and end at Ponce de Leon Avenue in the Druid Hills Historic District. The road would provide access to the 219-acre property for the planned Jimmy Carter Presidential Library complex. After deliberation, the Council concluded that although the Carter Presidential Library complex was an excellent project, the parkway was not clearly justified and there was no reason to link together the highway and library projects. Consequently, the Council recommended that the Secretary of Transportation not provide funding assistance for the highway as planned.

However, FHWA decided to proceed. Citizens' groups and the National Trust for Historic Preservation filed suit to enjoin the project [*Druid Hills Civic Association* v. *Federal Highway Administration*, 772 F.2d 700 (11th Cir. 1985)]. After fiscal year 1985 began, the U.S. District Court decided in favor of FHWA and other defendants, and the case was appealed to the Eleventh Circuit Court of Appeals. In the meantime, a Fulton County judge issued a temporary injunction halting construction.

On February 26, the Atlanta City Council reversed its previous position and voted 10-4 to withdraw approval of the parkway pending additional study and investigation of alleged irregularities in contracting procedures. However, Mayor Andrew Young vetoed the resolution, and the City Council failed to override the veto. The construction firm for the parkway had its contract cancelled in March by the Fulton County court after allegedly violating a probationary agreement stemming from a previous bid-rigging conviction. On April 23, the Georgia Supreme Court voided the City Council's original approval for transfer of city parklands for construction. This action followed arguments over irregularities in the City Council's vote on the transfer and City Council President Marvin Arrington's possible conflict of interest due to his involvement with a subcontract for construction work at the time of the vote. Arrington eventually withdrew. The same Georgia Supreme Court decision reversed the county court decision on the construction contract, and construction resumed on all but the 6.9 acres of city land.

On September 11, 1985, the U.S. Court of Appeals for the 11th Circuit handed down its decision in the Presidential Parkway lawsuit. Plaintiffs in the suit had sought to enjoin construction on grounds that FHWA had violated the National Environmental Policy Act, Section 4(f) of the Department of Transportation Act, and Section 18 of the Federal-Aid Highway Act of 1968. Because FHWA had sought and obtained the comments of the Council in the case, compliance with the National Historic Preservation Act was never an issue.

The district court had upheld FHWA environmental impact statement and Section 4(f) statement, but the appellate court reversed the district court on this point, finding that FHWA did not do all planning possible to minimize harm to the parkland and the historic sites affected by the parkway before choosing a route. FHWA should have considered the impacts of various alternative routes on parklands and historic properties.

Foreclosure of Opportunity to Comment

Occasionally the Council is faced with situations in which completed Federal actions make it meaningless for the Council to comment because the opportunity to consider alternatives to undertakings has been foreclosed. There were three such cases in fiscal year 1985.

On May 3, responding to an urgent request from the owners of the historic Weisburg Inn in Parkton, Maryland, the Council informed the Department of Housing and Urban Development (HUD) of its objection to HUD's determination that construction of housing adjacent to the inn would have no effect on it. Although the Council had asked HUD to halt construction until it could review the project, HUD's Baltimore Area Office informed the Council on May 29 that it had no intention of halting the undertaking. Despite a determination of adverse effect by the Maryland State Historic Preservation Office that the project would adversely affect the inn, HUD had concluded that the project had no effect and that Section 106 review had therefore been completed. Because of HUD's determination to allow

construction to go forward, the opportunity to consider alternatives to avoid or mitigate possible adverse effects had been foreclosed.

At mid-year, the Council processed an unusual case involving a toxic waste spill on a National Register-eligible archeological site on Forest Service lands in California. Because the case concerned spilling of pentachlorophenol, a highly toxic substance displaying a high degree of mobility, the accident represented an immediate threat to local water supplies. To complicate matters, all of the soil in the affected area was so badly contaminated that it could be handled only by individuals wearing contamination-proof suits and respirators. The soil had to be scooped into 55-gallon drums and the containers welded shut and then buried at a Class I waste disposal site. The measures required for the cleanup were fully delineated by State and Federal environmental agencies, and therefore no mitigation was possible. Accordingly, the Council advised the Forest Service to proceed with the cleanup and provide it with a report upon completion.

In another case, the Bureau of Indian Affairs (BIA) had been planning development of administrative facilities at its agency at Fort Washakie, Wyoming, since 1980. After determining that a new administration building had to be built, the agency proceeded with construction. BIA then came to the Council in March 1985 requesting approval of the demolition of Building #1, its historic former administrative headquarters. The agency had previously considered neither the effects of the new construction on the Fort Washakie Historic District nor alternatives to demolition of Building #1, such as finding a new use for the building or mothballing it. Because BIA came to the Council after constructing the new building, the opportunity to consider alternatives obviously had been foreclosed, and Section 106 review had been rendered meaningless. The Council so informed BIA in a letter to the head of the agency. BIA has never responded to this notification and presumably has demolished the building.

In Baltimore, Maryland, the city used CDBG funds to assist Johns Hopkins Hospital in the rehabilitation of McElderry Court, a group of old rowhouses in Butcher's Hill Historic District, for low-income housing. Although consultation was initiated with the SHPO, his request for more information on the project was ignored, and the project proceeded. By the time the SHPO discovered this fact, much of the work had been done. The rehabilitation included the removal of formstone facings from the buildings' brick facades, during which some brickwork was badly damaged. Mortar was removed from joints with power equipment, further damaging the bricks, and then a mortar mix harder than the bricks themselves was used for repointing, making the bricks vulnerable to water damage.

When the SHPO discovered what had happened, he notified the Council. An on-site inspection was held, and the city requested the Council's comments. The matter was placed before a 3-person panel of Council members appointed by the Chairman. The panel voted unanimously to advise the city and HUD, which is responsible for overseeing use of CDBG funds, that the Council's opportunity to comment had been foreclosed, and to enumerate for the city the damages likely to result from its action. In response to this notification, HUD withheld CDBG funds from the project.

Mayor Schaefer responded swiftly to the Council's notification, inspecting the project site personally with the SHPO and the Council's senior architect. The mayor insisted on a different, more careful approach to rehabilitation of the remaining two buildings in the complex and reorganization of the city's system for handling its historic preservation responsibilities to ensure that it provides for both early coordination with the SHPO and Council and the application of high standards in rehabilitation. Johns Hopkins Hospital has also responded positively to the situation, and it appears that challenges of this kind will be handled more positively in Baltimore or in future Hopkins projects.

Failure to Comply with the Terms of Agreements

During this fiscal year the Council has become aware of several instances in which agencies failed to comply with the terms of agreements entered into under the Council's regulations. On Nantucket Island, Massachusetts, a determination of no adverse effect made by UMTA concerning the effects of a ferry terminal improvement project on the Nantucket Island Historic District was conditioned upon the improvements being made in accordance with "The Secretary of the Interior's Standards for Rehabilitation." Project plans were then changed and large concrete dolphins were installed that have a substantial visual impact on the district. The change in plans was not reviewed under Section 106 and was not discovered until the dolphins had been installed and local residents complained. Several meetings have been held among the Massachusetts SHPO, the project developer, local citizens, and the Massachusetts congressional delegation to seek a resolution to this violation of UMTA's determination, but at year's end no solution had been found.

In the Tonaachaw Historic District on Moen Island in Truk, in the Trust Territory of the Pacific Islands, a 1978 MOA providing for airport expansion included a provision deleting certain obstruction lights from the top of Mount Tonaachaw, a place of cultural importance to the Trukese. The Federal Aviation Administration (FAA) had determined that the lights were not needed for aircraft safety. In 1985, however, without the knowledge of the FAA, the Trust Territory Government, the Department of the Interior, or the Council, and without permission from the local villages who share ownership of the mountain, the Government of Truk State bulldozed a road to the summit and installed the lights, destroying at least one important archeological site in the process. This case was particularly ironic because in 1984, the Governor of Truk State was given a historic preservation award by the Secretary of Transportation and the Council in recognition of his excellent work in establishing and implementing the 1978 MOA. It is especially difficult to address this case because of the distances involved, the transitional political status of the Trust Territory, and the fact that the Truk State Government, which was not a signatory to the 1978 agreement, may not be bound by its terms.

These cases are illustrative of a general concern: that the Council has no mechanism for monitoring agency compliance with agreements and no way to take corrective action when an agreement is violated.

Litigation

Occasionally, historic preservation issues become the grounds for litigation. During 1985, there were several court cases dealing with important preservation matters.

Corps Regulations Held Invalid

In *Colorado River Indian Tribes* v. *Marsh*, No. CV 82-5017-RMT(JRX)(C.D. Cal. Mar. 20, 1985), an Indian tribe and an environmental organization sought to enjoin the Army Corps of Engineers from approving a permit for the placement of riprap on the western bank of the Colorado River as part of the River City project, a proposed residential and commercial development in California. Plaintiffs claimed that the surrounding property contained archeological resources that qualified for the National Register, although they had not yet been determined eligible.

According to the complaint, the Corps had issued the permit without complying with the NHPA because the Corps had followed its draft counterpart regulations, which limited the scope of the Corps' investigations for potentially eligible sites to a narrowly prescribed "permit area." Under these regulations, the Corps extended its review outside the permit area only when properties already listed or determined eligible were affected. Plaintiffs asserted that the Corps had not made a finding as to whether the River City project would have an effect on the surrounding property.

On March 20, the court entered a preliminary injunction against the Government and the developer. Among the grounds for injunction was the contention that the counterpart regulations were invalid because they had not been approved by the Council and were not consistent with NHPA, since they differentiate between the permit area and the area actually affected by an undertaking.

Change in Plans Contested

In late June, citizens in Grenada, Mississippi, brought suit in Federal court against the Department of Housing and Urban Development [*Boyd* v. *Roland* (N.D. Miss., No. WC-85-144-NB-D)] seeking to enjoin HUD from funding, under Section 202 of the Housing Act of 1959, a low-income housing project that the Episcopal Housing Development Corporation of Grenada proposed to build. Conceived in the early 1980's, the project was initially intended to rehabilitate the main building of Grenada College, a brick structure built in 1919, and in 1983 the corporation applied to HUD for funding for the rehabilitation.

HUD submitted the project to the State clearinghouse and apparently obtained State clearance. Soon after, the corporation decided to demolish the building and so amended its application to seek HUD funding for construction of a new building on the site, which would be known as the All Saints House. The old Grenada College building was demolished in the fall of 1984. HUD did not submit this change in plans to the SHPO or request Council comments at that time.

Although the corporation proposed to use brick taken from the old building in the new construction, it planned to locate the new structure far closer to the street than the original building had been. Citizens argued that the new building would adversely affect the Main Street Historic District, which the SHPO considered to be eligible for the National Register but which has not been officially determined eligible by the Secretary of the Interior.

In early June, the district court dismissed the suit, finding that Section 106 of NHPA applies only to properties officially determined to be eligible for the Register. The district court also found that HUD's submission of the project, as originally conceived under the clearinghouse procedure, constituted sufficient notice to the SHPO of the project for the purposes of historic preservation review requirements.

The citizens immediately appealed the district court's decision and were denied an injunction pending appeal; the corporation began construction of the new structure in July. Although the appeal has been expedited, the appellate court has not yet ruled. The Council's Office of General Counsel has been in touch with the Assistant United States Attorney handling the case for the Government since early July, when the Council first heard of the matter. At that time, the United States Attorney had already formulated and argued the Government's legal position without benefit of Council consultation, and his arguments were accepted by the district court. The appellate court's decision was still pending at the close of fiscal year 1985.

Gasquet-Orleans Road Case Decided

The Ninth Circuit Court of Appeals has affirmed the essential part of the holding of the United States District Court for the Northern District of California in the case involving proposed construction of the Gasquet-Orleans Road within Six Rivers National Forest in California, *Northwest Indian Cemetery Protective Association* v. *Peterson*, No. 83-225 (9th Cir. June 24, 1985). The decision concluded efforts by Indian groups to stop the Forest Service from completing the road and harvesting timber on lands used for centuries by the Yurok, Karok, and Tolowa Indians for religious practices. The Council became involved in this controversy in 1981 when the Forest Service requested comments under Section 106 because the road would pass through the Helkau Historic District. However, because the Forest Service had constructed the road in segments up to and actually into the historic district over the preceding decade, severely limiting possible alternatives, the Chairman chose, with the concurrence of the members, not to place the matter on the agenda, but rather to make recommendations to the Forest Service by letter. The Council recommended against construction of the road because of its severe adverse effects on the Indians' cultural use of the area. However, the Forest Service subsequently decided to proceed with the undertaking, and the plaintiffs brought suit.

Plaintiffs alleged violation of the First Amendment of the Constitution and the American Indian Freedom of Religion Act, as well as the National Historic Preservation Act, the National Environmental Policy Act, and various other authorities. Because the Council believed the Forest Service had legally complied with Section 106 even though Council recommendations were not followed, the Council aided the Justice Department in defending the NHPA claim.

The district court found in the Government's favor on the Section 106 issue but permanently enjoined construction of the road and timber harvesting in the high country on First Amendment grounds, finding not only that the lands were used for Indian religious purposes and considered sacred, but also that the area was

indispensable to their religious practices and that the proposed Government activities would seriously interfere with those practices. The Ninth Circuit affirmed this portion of the district court's opinion. The appellate court also affirmed the district court's finding that the Forest Service had complied with Section 106, although the issue was not discussed in the opinion.

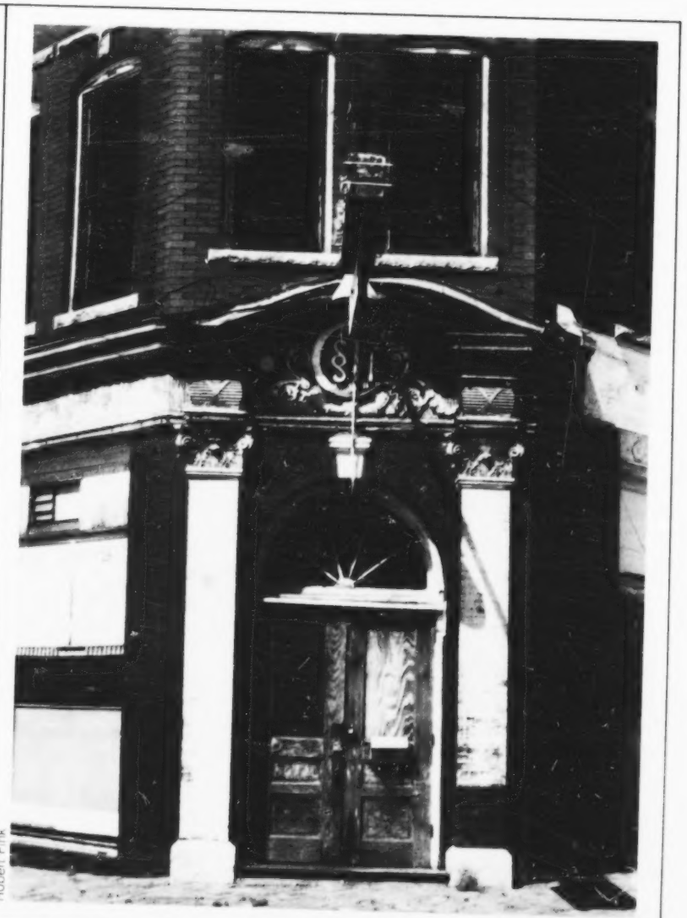
Section 4(f) Archeological Regulations Upheld

In *Belmont* v. *Dole*, No. 83-1871 (1st Cir. June 27, 1985), the United States Court of Appeals for the First Circuit reversed the decision of the district court for the District of New Hampshire in a case involving regulations implementing Section 4(f) of the Department of Transportation Act. The pertinent section, 23 CFR §771.135(f)(1), provides that archeological sites listed in or eligible for the National Register of Historic Places fall within the scope of Section 4(f) unless DOT's Federal Highway Administration, after consultation with the State Historic Preservation Officer and the Council, determines that the archeological resource is important chiefly for the information it contains and has minimal value for preservation-in-place. In that event, the archeological resources may be recovered in accordance with a resource recovery plan developed under the Council's regulations, and the more restrictive provisions of Section 4(f) would not apply. The Council had assisted DOT in developing these regulations to eliminate what was viewed to be an unnecessary procedural hurdle.

The district court held that this archeological regulation was not consistent with Section 4(f) and declared the regulation void. On this basis, the district court enjoined DOT's proposal to build a highway bypass between Franklin and Laconia, New Hampshire, a route containing the Lochmere Archeological District, which consists of Indian and colonial settlement sites with buried artifacts. DOT characterized the site as being significant only for data it contained, thus triggering the archeological regulation.

The district court reasoned that Section 4(f) prohibits use of any historic site unless there is no prudent and feasible alternative. Because the Lochmere Archeological District is listed in the National Register, it falls within the category of "historic site," and the court ruled that Section 4(f) applies. The regulation was held void because it attempted to circumvent Section 4(f)'s explicit limitation on the use of land for transportation projects.

On appeal, DOT pressed its argument that if data recovery of archeological resources is appropriate under NHPA, then Section 4(f) should not apply, since recovery results in removal of the materials that make the site significant for purposes of Section 4(f). The First Circuit agreed with DOT and reversed the district court, reasoning that once the data in an archeological site is appropriately removed and preserved, the land lacks the significance necessary for Section 4(f) to apply.



Robert Fink

Because the rehabilitation of the 1903 Blue Bell Saloon in Guthrie, Oklahoma, involved the use of Urban Development Action Grant funds, the project required Section 106 review. The developer plans to use the 17 upstairs rooms for intimate dining areas and the adjacent Elks Hotel as a bed-and-breakfast inn.

The process of removal itself cannot be considered an adverse use of the site as long as it does not injure, but rather preserves, the objects and data in question. The court found that the district court's interpretation would bar DOT from helping to preserve archeological resources by preventing implementation of a carefully designed recovery plan and would, as the alternative, leave the site in the hands of private owners free to ignore or harm its archeological value.

The appellate court also found that the archeological regulation, if implemented in conjunction with the Council's regulations, contains sufficient safeguards to prevent its being applied in a manner that would undercut Section 4(f)'s preservation goals. The appellate court reasoned that the purpose of Section 4(f) is to protect resources from harm caused by highway projects. Thus, the section's prohibition of "use" of a historic site would be triggered only if the proposed activity would adversely affect the values of the resources at issue.

Problems in Agency Performance as Indicated by Section 106 Review

In conducting Section 106 review during fiscal year 1985, the Council has noted certain recurrent issues that have characterized agency programs. The following issues, which are not arranged in order of priority, have created special challenges or have complicated compliance with Section 106 and other elements of the National Historic Preservation Act in recent months. These issues are mainly related to maintenance and rehabilitation of historic buildings, operational problems, and difficulties in addressing cultural concerns.

Maintenance and Rehabilitation of Historic Buildings

NHPA strongly encourages Federal agencies to maintain and use their historic buildings. Local governments are authorized and encouraged to use Community Development Block Grants and Urban Development Action Grants, among other Federal program funds, to support similar activities. The private sector is encouraged to rehabilitate and maintain historic buildings by the current Federal tax code. These authorities and programs have resulted in the preservation of many historic buildings and structures that would otherwise have been destroyed. However, they have brought a number of recurring problems and questions to the surface.

Inappropriate Treatment of Masonry

Although an increasingly substantial and sophisticated body of literature now exists on the dangers of certain commonly used treatments of masonry, inappropriate practices continue. Abrasive cleaning, highly destructive of masonry surfaces, is still widely used, and rough treatment while removing paint, formstone, and other coverings continues to be a problem. Another common problem is that of repointing masonry with mortar that is harder than the masonry itself, which causes the latter to spall and crumble over time. In other cases, caulking compound is substituted for mortar, trapping moisture within masonry units and causing their eventual deterioration. Joints are sometimes widened in the process of repointing, further weakening the masonry unit and permitting moisture to penetrate.

Inappropriate Surface Coverings

Widespread use of aluminum and vinyl siding on some kinds of historic buildings not only creates a historically inauthentic appearance, but can also create an impermeable envelope around a building within which moisture is trapped, causing the original fabric to deteriorate and allowing dry rot and fungal infestations to go unnoticed.

Inappropriate Window Treatment

Replacement of historic wood windows with aluminum and vinyl substitutes is very popular, motivated in most cases by the desire to improve energy efficiency and simplify maintenance. However, such windows are inconsistent with the authentic appearance of most historic buildings.

Efforts are sometimes made to replicate the historic appearance of windows through the application of false muntins on the exterior or interior surfaces of the new windows, which only aggravates the problem. Recent studies have shown that wood windows outlast aluminum and vinyl windows by up to 40 years. In most cases reviewed by the Council in which comparative figures have been available, repair of historic windows, addition of exterior or interior storm windows, and/or replacement with double or triple glazing in wood frames have proved to be much more cost-effective than the use of aluminum or vinyl windows. The attractiveness of the latter to building managers and developers persists, however, and is a recurrent source of conflict over rehabilitation and maintenance plans.

Fragile Building Stock

Recently, interest has grown in the preservation of buildings and structures associated with World War II, the early days of space exploration, and other relatively recent phenomena. Such interest has stimulated Congress to direct the National Park Service to pursue two major National Historic Landmark theme studies that would result in the designation of a number of structures and installations as National Historic Landmarks. Because many of the buildings and structures associated with these themes were not designed to last, however, their preservation may be prohibitively expensive, and they may have little potential for adaptive use. They may literally not be preservable, and special standards may have to be developed to cover their treatment.

Operational Problems

The Meaning of "Eligible"

Section 106 of the National Historic Preservation Act requires that Federal agencies take into account the effects of their actions on properties included in *or eligible for inclusion in* the National Register of Historic Places. This language was added to the statute in 1976 to ensure that properties of historical value that had not yet passed through the National Register's nomination process would be considered in planning. A procedure was established at the time to provide for the Secretary of the Interior to determine the eligibility of historic properties at the request of a Federal agency; this process has been simplified over the years, so that today the determinations are essentially made by agencies in consultation with State Historic Preservation Officers, with

the Secretary called upon for a determination only in the event of a disagreement or question.

Recently, however, some agencies have begun to take the position that the words "eligible for inclusion" mean "previously determined eligible for inclusion." For example, the Army Corps of Engineers, in draft language for inclusion in nationwide permits for the discharge of fill into waterways, provides only for impacts on properties included in or already determined eligible for inclusion in the National Register to be taken into account. The Department of the Interior has contributed to the confusion by issuing a departmental manual in which it suggests that, to identify eligible properties, agencies need only review a published list of properties previously determined eligible. This unfortunately defeats the purpose of ensuring that significant properties that have not yet been listed or determined eligible are considered in planning, substituting for such consideration the mere checking of an expanded list. Clarification of this matter is needed.

Need for Training of Maintenance Personnel

Maintenance staff in Federal agencies are often not trained to recognize and be sensitive to the historic characteristics of buildings and as a result do unwitting damage. Examples include the installation of electric fixtures, smoke detectors, burglar alarms, and fire control plumbing in visually intrusive ways; removal and replacement of historically significant interior detailing and furnishings; and landscaping that destroys elements of a building's historic setting or associated archeological features.

Conflicting Congressional Direction

At the same time that Congress directed the National Park Service to study World War II in the Pacific with the intent of designating associated National Historic Landmarks, it also called upon the Department of Defense to remove World War II temporary buildings from military installations and initiated programs to remove environmental hazards, including derelict buildings and structures that date from the period. While such conflicting mandates can be accommodated, they tend to complicate efforts by Federal agencies and the Council to achieve balanced programs of historic building rehabilitation and maintenance.

Inappropriate Attribution of Costs

Congress has expressed justifiable alarm at the cost of maintaining some historic buildings used by the military services for senior officer housing. Initial analysis of costs, however, suggests that many expenses have nothing to do with the maintenance of historic character, arising instead from the personal tastes of senior officers in residence, the often rapid turnover of such personnel on an installation, and the process of cleaning up and improving the premises for each successive resident. The Army is undertaking a systematic study of maintenance costs in historic housing that should be helpful in reaching balanced conclusions about treatment of such buildings and how costs should be allocated.

Leadership and Coordination

Many problems in the management of historic buildings currently in Federal ownership have been exacerbated by a lack of central direction and leadership in historic preservation among agencies administering such properties. The General Services Administration (GSA) has had a mixed record in the treatment of historic buildings under its control, sometimes maintaining and rehabilitating them in a superb manner, with full attention to the requirements of the National Historic Preservation Act and other authorities, and at other times not doing so.

In 1982, GSA began transferring the authority to operate Federal buildings to other agencies, but has provided little guidance in how to manage such buildings with sensitivity to their historic values. This lack of guidance, coupled with the lack of central direction previously provided by GSA, has intensified the problem of uneven management. Thus far the problems resulting from GSA's delegation of management authority have been limited, since the delegation itself has been made only to a few agencies and has so far involved few buildings. During fiscal year 1986, however, under the authority of Executive Order 12512, GSA now plans to extend the transfer nationwide to all agencies housed in single tenant buildings. Action will be needed to ensure that such agencies are equipped to handle both their preservation review responsibilities and their substantive obligation to manage their buildings with sensitivity for their historic qualities.

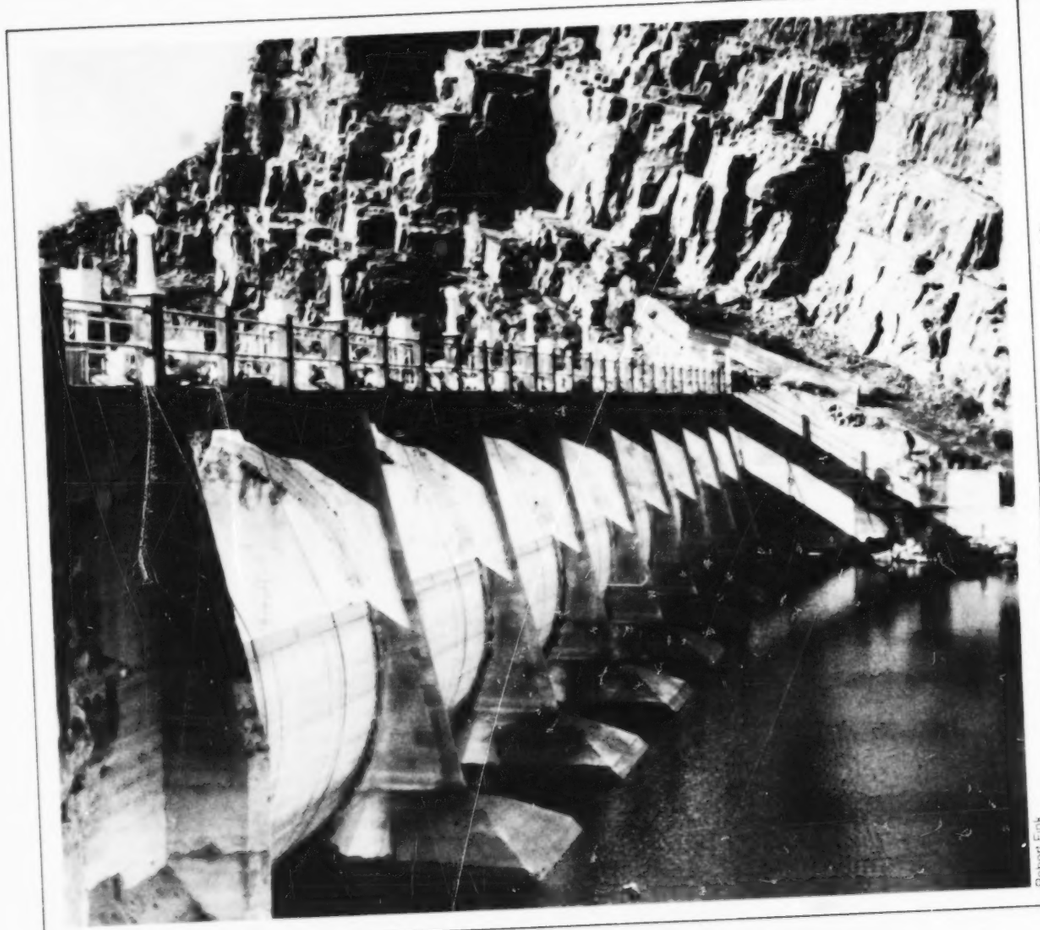
Disposal of Surplus Property

Most agencies dispose of surplus property, including real property, by excessing it to the General Services Administration, which may then transfer it to another Federal agency or out of Federal jurisdiction. GSA policy is to have the donor Federal agency comply with Section 106 before GSA receives the property, but agencies do not always adhere to this policy. The result is that proposals to dispose of surplus historic buildings or lands containing significant historic properties are brought to the Council for review after the alternative of retaining them in Federal ownership has been foreclosed. In some cases GSA has transferred historic properties without obtaining the Council's comments, sometimes without appearing to have considered historic values at all. Enforcement of existing GSA policy on this matter would largely remedy this problem.

Problems with Permits

Agencies that issue permits or licenses for activities by non-Federal parties that may affect historic properties face special problems in complying with Section 106 and other historic preservation authorities. These problems must be grappled with not only by such agencies as the Federal Energy Regulatory Commission, which is exclusively involved in licensing, but also by agencies like the Bureau of Indian Affairs and the Forest Service, which issue rights-of-way across Federal or Indian lands, and the Army Corps of Engineers, which issues permits for discharge of fill into waterways and wetlands. Some of the problems are exclusive to particular agencies, but most are not. The following examples, *though hypothetical*, are based on real cases.

The Forest Service proposes to issue a permit for a road across Federal land to service a gas well field on private land. Without the road, the well field



Robert Fink

The Roosevelt Dam, a National Historic Landmark, may be subject to a determination of adverse effect under Section 106 review if the Bureau of Reclamation's Plan 6 is funded. Plan 6 is an adjunct to the massive Central Arizona Project now under way. Under the plan, the integrity of the dam could be lost, either through removal of the structure to make way for a new dam or because the existing dam could become the core of a larger reinforced concrete structure.

will not be practical to operate. All agree that the Forest Service is responsible for considering the impacts of the road on any historic properties lying on the Federal land, but what responsibilities does it have for impacts caused by the well field itself, or for the road right-of-way once it extends beyond the boundaries of Federal land?

The various land management agencies answer this question in different ways. The Council subscribes to a "rule of reason" adopted by the Bureau of Land Management (BLM), which holds that the land management agency is responsible for considering impacts that are "reasonably attributable" to the agency's action. In the case described above, the Forest Service would probably be responsible for considering the impacts of the well field, because the field could not be developed without the Forest Service action. Not all agencies subscribe to this "rule of reason," however, and there is even some inconsistency among the State and district offices of BLM on the matter.

BLM proposes to issue a permit for an oil exploration company to drill for federally owned oil in an area where the land surface belongs to private parties. What is the responsibility of the bureau to ensure that historic properties on the private surface are identified and considered for protection during project planning?

BLM currently holds that if a private landowner denies permission for studies to identify historic properties, such studies cannot be done. Unfortunately, there is evidence that some energy companies have been paying surface owners to deny such permission. BLM has recently issued clarifying instructions, and the Council is producing companion guidelines under which a property owner's denial of such permission would result in consultation to determine the likelihood of impacts and to establish remedial action if possible.

BLM proposes to issue a right-of-way for a pipeline crossing a small piece of Federal land; the pipeline then extends for another 1,000 miles across non-Federal land without further Federal involvement. What are BLM's responsibilities?

Under BLM's "rule of reason," BLM's responsibilities extend only as far as the routing of the pipeline is "reasonably attributable" to its decision on the right-of-way; this would probably involve only the Federal land and a short distance beyond the Federal boundaries. The Council agrees with this limitation. The situation is complicated, however, when BLM assumes "lead agency" status for a number of Federal agencies in review of such a project. In such cases, BLM's responsibilities may extend further, in order to incorporate the responsibilities of all Federal agencies involved.

The Army Corps of Engineers proposes to issue a permit for discharging fill into a wetland to create land for a new residential development. The development will involve not only the filled land but also the higher ground nearby. It can be predicted that the residents of the new community will use public lands still farther away for driving recreational vehicles; these lands are thought to contain fragile and important archeological sites vulnerable to vandalism and damage from vehicular traffic. What is the responsibility of the Corps to consider impacts of both residential development outside the wetland and off-road driving by the residents of the new development?

The Corps and the Council agree that some limitation must be placed on the extent of the Corps' responsibility in such situations, but there is no agreement at present about where that limit should be. A court in California has recently found a draft Corps regulation, which effectively limits Corps responsibility to the filled area and land immediately adjacent to it, to be inconsistent with NHPA. Consultation is underway on a reasonable approach to such situations.

The Bureau of Indian Affairs, exercising its trust responsibility with respect to Indian lands, proposes to approve a plan by a tribal council to allow an energy company to explore for minerals. The area in which exploration will take place is regarded by traditional religious practitioners in the tribe as being one of considerable cultural importance, and it may contain archeological sites as well. The tribal council, asserting tribal sovereignty, does not propose protection of either kind of resource. What is the responsibility of BIA?

In one such case, BIA and the Council agreed that archeological and ethnographic surveys must be made, in consultation with traditional cultural authorities, to ensure that significant cultural and archeological sites were protected. As a matter of policy, however, BIA argues that this violates the sovereignty of the tribe and objects to entering into such agreements.

The Interstate Commerce Commission (ICC) proposes to approve abandonment of a railroad, which will result in the retirement of several historic railroad stations along the tracks. What is the responsibility of ICC to ensure that such stations are identified and protected or reused?

ICC and the Council are completing a Programmatic Memorandum of Agreement that calls for ICC to encourage preservation and adaptive use of railroad stations subject to abandonment and to seek to bring railroad companies together with parties that might receive and effectively reuse their facilities, without requiring extensive consultation on every rail line abandonment.

The Federal Energy Regulatory Commission (FERC) proposes to license a major hydroelectric project involving a reservoir that will flood hundreds of historic properties. Because the commission is an adjudicatory body, its staff cannot bind its decisions; therefore it cannot enter into binding agreements with the Council and the State Historic Preservation Officer. How is FERC to achieve compliance with the Council's regulations?

The Council has proposed a PMOA that would render the Council's comments programmatically on all FERC regulatory actions and would need to be executed by the commission only once. The PMOA would establish standards and guidelines to be used by FERC staff and applicants in data compilation and presentations to the commission and would set forth a policy for the commission to follow in making its decisions, without Council consultation on individual cases. FERC has indicated interest in this proposal, and completion of the PMOA would resolve a longstanding problem. It would also take care of those cases in which FERC has delegated the responsibility for compliance with Section 106 to applicants after receipt of licenses. This practice is problematic, as Section 106 requires that the Federal agency involved, and not some other party, obtain the Council's comments and take effects into account before issuance of any license.

FERC proposes to license a project involving a long series of pipelines, with several potential applicants competing for the license. Each must submit to FERC an application considering environmental impacts. How is FERC to avoid causing the applicants to replicate one another's historic property surveys, which would involve unnecessary cost both to themselves and to the State Historic Preservation Officers who must consult with them all?

In a recent case, FERC has proposed to make its licensing decision based on background data without requiring field surveys, making such surveys a condition of the license. The Council is working with FERC on this approach, which seems to be reasonable.

Federal Oversight of State Regulatory Programs

Special problems for compliance with NHPA exist when a Federal agency is assigned the responsibility for approval and oversight of, and often provision of financial assistance to, a State or regional regulatory program. The essential question raised is how far the arm of the Federal Government should reach in protecting historic properties in regulatory decisionmaking.

Over the last several years, problems surrounding the approval, oversight, and assistance provided State regulatory authorities (SRA's) by the Office of Surface Mining Reclamation and Enforcement (OSM) in the Department of the Interior have attracted great attention, generating reams of documentation and stimulating a Congressional hearing, litigation, and substantial coverage in the media. Under the Surface Mining Control and Reclamation Act (SMCRA), OSM is responsible for approving State regulatory programs on behalf of the Secretary of the Interior, for overseeing their compliance with the terms of SMCRA, and for providing them with financial assistance. SRA's then issue permits to landowners and mine operators for surface and underground coal mining.

OSM has not effectively required the SRA's to ensure that applicants for mining permits identify historic properties other than those already listed in the National Register, nor has it required SRA's to consider historic properties other than those listed in the National Register in making permit decisions. As a result, evidence from State Historic Preservation Officers and others indicates that thousands of significant historic properties have been destroyed.

Extensive and complicated consultation with OSM has resulted in some improvement in the situation, and OSM was preparing draft regulation changes at year's end. The central issue that has remained unclear, however, and that has complicated negotiations, has been the precise extent of OSM's legal responsibilities. In general, the Council has argued that, under both Section 106 and the more general provisions of NHPA, OSM is responsible for ensuring that SRA's have effective programs to identify historic properties, to consider them in mine permit review, and to take reasonable steps to protect them or to document them before they are destroyed. The Council has not felt that OSM is required to "pass through" Section 106 responsibilities per se to the SRA's. OSM seems to agree in general with this position but to differ substantially on the question of what will constitute an effective program. OSM tends to rely on the State Historic Preservation Officers and the public to notify SRA's of the existence of historic properties subject to damage by mining, while the Council feels that the responsibility to identify such properties should rest with the SRA itself and with the permit applicants. Questions also exist over the SRA's authority to consider historic properties in permit application review and to require their protection. Discussion of the problem continues, as does the destruction of historic properties through State-regulated mining.

Similar problems of interpretation and synchronization between Federal and State requirements exist, usually with less dramatic consequences, in such programs as the Coastal Zone Management Program, administered by the National Oceanic and Atmospheric Administration, and the National Pollutant Discharge Elimination System, administered by the Environmental Protection Agency.

Coordination of Preservation Reviews

Many development projects today are reviewed for their sensitivity toward historic properties by three different entities under two sets of statutes. The Council and State Historic Preservation Officers review projects involving agencies under Section 106 of NHPA. The National Park Service and the State Historic Preservation Officers review projects whose proponents seek investment tax credits (ITC's) under the authority of the Economic Recovery Tax Act of 1981 (ERTA) and related statutes. When a project involves Federal assistance (for example, through use of UDAG or CDBG funds) or a Federal permit and its developer also intends to seek an ITC, the project must be reviewed under both statutes.

The reviews occur at different times: Section 106 review typically occurs early, while NPS ERTA review occurs late. The reviews use the same basic standards, "The Secretary of the Interior's Standards for Rehabilitation," but apply them rather differently. The Council tends to take economic factors into account, not insisting on preservation treatments that are not within the developer's means, while NPS takes the position that it must apply the standards without reference to economic feasibility. Some variability also exists among NPS regional offices in their interpretation of the standards. The two reviews also have somewhat different foci: NPS looks solely at rehabilitation of the buildings for which an ITC is to be sought, while the Council looks at entire projects, including rehabilitation and associated new construction, indirect effects, impacts on archeological remains, and so forth.

State Historic Preservation Officers and private developers are caught in the middle of these overlapping but uncoordinated review systems. Both the Council and NPS are interested in improving the situation, but have not yet found a mutually acceptable way of coordinating their reviews.

Overlapping Statutory Requirements

ERTA is not the only Federal statutory authority whose requirements for review of projects overlap in some respect with those of NHPA. For instance, the Archeological and Historic Preservation Act of 1974 requires that agencies report to the Secretary of the Interior whenever one of their projects may result in the loss of archeological data. Because any damage to an archeological property that is eligible for inclusion in the National Register can be expected to result in such a loss, agencies should contact both the Secretary and the Council whenever such a property will be affected.

Section 17 of the Housing Act of 1937, as amended, requires that grant recipients seek the comments of the Council on their grant-assisted projects if the projects do not meet "The Secretary of the Interior's Standards for Rehabilitation." Although Congress may have meant for this requirement to substitute for the broader requirement of Section 106 (that all undertakings be subject to Council comment, regardless of what standards are met), it did not so specify in the statute. In theory, therefore, grant recipients should seek the Council's comments in two dif-

The Coast Guard has an active program of preservation and maintenance for navigational aids along the Connecticut coastline. As part of this program, the New London Lighthouse will undergo architectural and structural evaluations, as well as preparation of a statement of its historical significance. (Photo courtesy of John Milner Associates.)

ferent ways under the two authorities.

The Archeological Resources Protection Act (ARPA) requires that parties who propose to disturb archeological remains on Federal and Indian lands obtain permits from land-managing agencies. The requirement to obtain permits extends to archeological contractors for Federal agencies and regulated industries carrying out work under Section 106 and under agreements developed with the Council. In some cases, permit applicants have charged that their permits were issued with requirements that were inconsistent with the terms of the agreements developed pursuant to Section 106. The coordination of Section 106 and ARPA requirements appears to be a matter that requires additional work.

The Surface Mining Control and Reclamation Act (SMCRA) requires that "any publicly owned park, wildlife refuges, or places included in the National Register of Historic Sites" [sic] be designated "unsuitable for mining." Much effort and considerable litigation have been directed to clarifying whether the drafters of the legislation meant for "publicly owned" to modify "places" and whether "places included in the National Register of Historic Sites" means places listed in the National Register of Historic Places only or includes properties eligible for listing. If both listed and eligible properties are included (a court has recently held that they are not), then "unsuitability review" would overlap with review under Section 106. If properties eligible but not listed are *not* included, the provision has limited utility in protecting historic values. The similar but not identical terms of SMCRA and NHPA have greatly complicated efforts to establish reasonable and balanced preservation review of mining permit applications.

Staffing of Agency Preservation Programs

The level and kind of professional staff attention paid to historic preservation concerns varies widely both among and within Federal agencies. For example, as of 1983 the Army Corps of Engineers reported that it had 90 people employed in historic preservation, while in 1984 the Bureau of Reclamation and the Soil Conservation Service, whose programs and impacts on historic properties are not unlike the Corps', reported 24 and 4 preservation-related employees respectively. A summary review of Forest Service historic preservation staffing conducted this year indicated that among the 10 Forest Service regions, staffing levels ranged from a high of 35 in the Pacific Southwest Region to a low of 5 in both the Rocky Mountain Region and the Alaska Region.

Little hard information is available Governmentwide on the qualifications of agency preservation professionals, but experience indicates that many have little relevant professional training. Certain professions may be disproportionately represented on agency staffs; most land-managing agencies, perceiving the bulk of their problems to be concerned with archeology, have tended to hire archeologists as their preservation professionals.

While this perception may be correct, the emphasis on archeology can be carried to an unnecessary extreme. Among its nearly 150 preservation-related employees, for example, the Forest Service counts only one historian and no architectural historians or historical architects, which may account in part for the problems noted elsewhere in this report regarding management of historic buildings and structures in the national forests.

Concerns with Historic Preservation Contractors

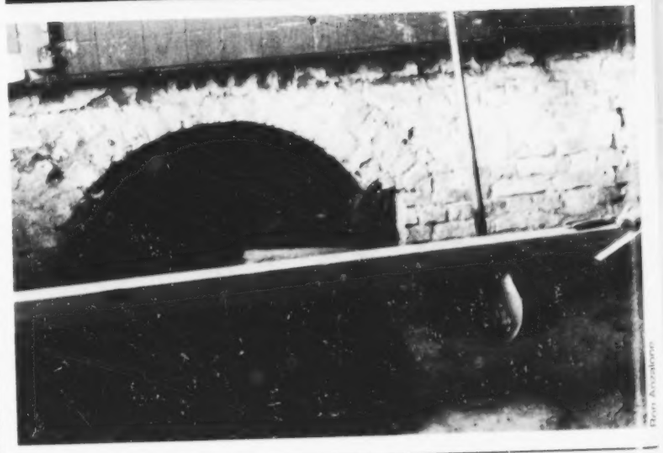
During 1985, several instances arose in which agencies, confronted with what they felt to be unreasonable proposals by historic preservation contractors who had been engaged to advise them, turned to the Council for assistance. One such circumstance involved historic preservation plan development for Army lands in Alaska. The Army had engaged contractors to assist in the development of a comprehensive historic preservation plan addressing the many identified and as-yet unidentified historic properties on Alaska lands administered by the Army. The draft plan submitted by the contractors, though it filled a very large binder, did not seem to the Army to provide it with much guidance, except to call for further, intensive archeological survey work at a very high cost.

At the Army's request, a Council representative traveled to Alaska for a comprehensive review of the situation. It was found that the draft plan in fact failed to identify the kinds and distributions of historic resources subject to impact, failed to identify the kinds of impacts likely to occur from Army activities, and failed to identify effective strategies for reducing such impacts, while calling for archeological work that appeared to be neither justified nor feasible. In the course of the 3-day review, a new outline for a historic preservation plan was developed and embodied in a draft Programmatic Memorandum of Agreement, and the Army proceeded with contract negotiations in order to obtain major revisions in its contractor's work.

Such problems with contractors appear to be arising with increasing frequency, perhaps as the healthy result of growing sophistication in historic preservation among the agencies, who are no longer necessarily willing to do whatever their contractors recommend. It appears, however, that further guidance is needed both for agencies and for contractors in order to remedy the problems, particularly regarding such relatively unexplored fields as the development of large-scale historic preservation plans. A more systematic way to review contract work at early stages of development would also be useful. Often, by the time the Council learns of a problem, much time and money have been spent that could have been saved if a resolution had been found earlier.

Some agencies have opted to solve their problems with contractors by conducting all of their preservation with in-house staff. The Council doubts that this approach is economically viable for many agencies and also believes that it raises conflict of interest problems in some cases. Other agencies have established standing contractual relationships with SHPO's to conduct all of their preservation work. This too presents a potential conflict of interest problem, but it can be effective if appropriate controls are im-

Ben Anzalone



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Following a 1982 fire, the National Park Service stabilized the remains of Marshall Hall, an 18th-century plantation house across the Potomac River from Mount Vernon, in Piscataway Park, Maryland. The NPS conducted archeological test excavations beneath an outbuilding on the property before adapting it as a visitor center. Once excavations revealed little evidence of significant archeological remains, development of the visitor facilities could proceed.

posed. Other solutions may be available, but at this time the problem clearly needs further creative consideration.

Procurement of Preservation Services

Agencies typically procure the services of preservation professionals just as they do for any other kind of service or commodity, by soliciting proposals and issuing contracts for the fulfillment of particular scopes of work. Even under the best of circumstances and with the best of intentions, this approach can lead to significant problems of coordination. Within a given city or region, one can find a number of agencies issuing contracts with widely varying scopes of work for a number of projects having to do with the locality's historic resources. The only mechanism for pulling the results of such studies together into a coherent whole is the already overburdened State Historic Preservation Office or, in some cases, a local preservation program.

Moreover, the best of circumstances and intentions do not always prevail. In some agencies contracts for preservation work are often let as subcontracts by environmental firms that in turn are subsidiaries of the agencies' construction contractors or suppliers. Under small business set-aside rules, some agencies assign all historic preservation and environmental contracts to small businesses or minority-owned businesses, thus automatically excluding from competition such major specialists in preservation-related work as academic institutions, museums, and historical societies. Some agencies award contracts based solely or largely on bid without considering the quality of proposals, which virtually guarantees poorly qualified contractors. Some contracts specify performance standards in great detail, greatly limiting the contractor's ability to apply creative solutions to field problems, without specifying the purpose the standards are designed to serve. For example, it is not uncommon for some agencies to tell archeological contractors precisely how many holes to dig, what size the holes must be, and what kinds of tools to use, without discussing the scientific purpose of the excavation.

A preliminary study of the Federal procurement system carried out by the Council's Western Division of Project Review suggests that there is considerable room for improvement within the system. Specific standards and guidelines need to be developed for preservation-related contracting, and procurement specialists need training in their implementation. There is no readily apparent solution to the lack of coordination among agencies that each procure separate preservation services in the same locality.

Cost-Effectiveness of Archeological Programs

In 1981, the General Accounting Office suggested that archeological programs, in particular among federally sponsored preservation activities, were poorly coordinated and not cost-effective. However, little improvement has been possible in such programs to date. Lack of cost-effectiveness has two sides: too much money may be spent on archeological projects, and too little scientific information gain may result.

The Council has addressed this problem in several ways. It has issued a handbook, "Treatment of Archeological Properties," which stresses directing archeological work toward research goals that are defensibly in the public interest rather than of concern only to certain archeologists or segments of the archeological community. Also, it carries out cost-effectiveness review of archeological proposals as part of its regular Section 106 review work and promotes efforts to coordinate archeological work on the State, regional, and national levels.

In addition, the Council undertook a major initiative in 1981 in cooperation with the Department of the Interior and the coal mining industry to address coordination of archeological work related to surface coal mining. The Office of Surface Mining, the National Conference of State Historic Preservation Officers, industry representatives, and the Council reached agreement on a set of detailed standards and guidelines for such work that had the potential to serve as a model for other programs. Unfortunately, this agreement has been under review within the Department of the Interior since 1983, with no action having been taken to date. The Council pursues similar initiatives as opportunities present themselves, but there seems to be no clear context in which to undertake a comprehensive solution to the problem.

Mortgage Loan Guarantees

The Veterans' Administration (VA) and Department of Housing and Urban Development (HUD) both guarantee home mortgage loans, making it possible for veterans and low- to moderate-income families to purchase homes. In the past, both agencies have "pre-certified" housing development projects for such guarantees, even before such projects were constructed, making it possible for

developers to advertise VA/HUD "approval" when marketing their houses. Such pre-certifications have been taken to be Federal undertakings with the potential to affect historic properties, since they help guarantee the financial feasibility, and hence the carrying out, of land development.

As the General Accounting Office noted in its 1981 report, arguments have gone on for years over the extent of VA/HUD responsibilities for identifying historic properties subject to effect by such projects. Recently both agencies have in effect rendered the issue moot by deciding that they would no longer pre-certify new developments, and hence would undertake no environmental review of such projects at all. At the same time, however, both agencies have decided to engage in the issuance of what amounts to pre-certifications of "groups of dwellings in one location," which may or may not be unbuilt housing developments. Thus it is not clear that the situation has really changed, except that VA and HUD have stopped considering the environmental impacts of projects they pre-certify.

The Council is a strong proponent of archeological work that is cost-effective and research goal-oriented. This Urban Development Action Grant project involved archeological investigations on the site of what is considered to be the earliest English settlement in Philadelphia, Pennsylvania. Testing revealed that the project area contained extensive remains consisting of filled cellars, well-privy features, and intact historic surfaces dating back to 1680. (Photo courtesy of John Milner Associates.)

Eviction of Tenants from Federal Lands

Land management agencies, notably the Forest Service, have recently been taking significant steps to reduce the number of inholders and residential tenants on Federal lands. Such efforts usually take the form of programs to acquire title to inholdings and to terminate or not renew special use permits held by individuals and groups that occupy structures on Federal land. Such buildings may be of historic value, however, and evicting their tenants may lead to their destruction. Sometimes the destruction is direct and unequivocal: an agency may direct that a building be removed when a special use permit expires. In other cases, the destruction occurs over a period of time: with no one resident in the building to care for it, it simply deteriorates or is subject to destruction by vandalism.

The Council believes that under Section 106, the historic character of each such building or structure should be considered and the Council's comments should be sought before termination of a special use permit or acquisition of an inholding is decided upon, and that the alternative of permitting continued private use of the structure or building in question should be seriously considered. While the Council has experienced little objection to this premise in principle, it has seldom been followed.

Challenges in Addressing Cultural Concerns

It has become apparent over the last few years that agencies have special difficulty in dealing with the contemporary, though traditional, cultural concerns of living communities and other groups that often adhere to historic properties. Examples of such concerns include the religious value given certain locations by American Indian groups, the desire of some rural communities to maintain their traditional land-use patterns and community organization in the face of progress, and the sensitivity of some historic urban neighborhoods to changes that impinge on the visual environments and patterns of social interaction that they perceive to be vital to their neighborhoods' integrity.

Some agencies have indicated reluctance to consider such concerns, both in the context of particular cases and in their comments on the draft guidelines for addressing traditional cultural values circulated by the Council. Some agencies address such values solely as part of "social impact assessments" outside the framework of Section 106, rather than integrating their approaches to social, cultural, and historic preservation concerns. This approach is often reflected in agency organization, so that different agency personnel are responsible for historic preservation reviews and social impact assessments. Those responsible for the former often tend to address only archeological and/or architectural values, while those responsible for the latter focus on economic and demographic considerations, leaving the contemporary cultural value of historic properties, not to mention less tangible cultural values, to fall through the cracks. The Council anticipates that the problems created by such agency perceptions and organizational discontinuities will be increasingly significant in the coming years.

Council Program Activities

Program Initiatives

A major undertaking of the Council members in fiscal year 1985 was the development of new initiatives to better carry out the Council's statutory charges. Designed to carry out the Council's broader advisory and coordinative duties, the initiatives relate to a variety of areas designed to improve the functioning of the national historic preservation program. The Council made substantial progress in implementing these new program activities.

One such activity was the establishment of an informal communications network with Federal Historic Preservation Officers. Information and guidance aids Federal officials in meeting their statutory historic preservation responsibilities and expedites the Section 106 process.

Early in the year, the Council mailed a draft set of guidelines for preparing archeological survey reports to Federal Historic Preservation Officers and State Historic Preservation Officers. Subsequent action has included circulation of a working paper on considering cultural values in the Section 106 process. A comprehensive set of informational and interpretative materials is planned to accompany the final publication of new Council regulations.

Recognition of outstanding achievements in historic preservation is an acknowledged way to stimulate public interest in historic preservation. The Council was pleased with its experience cosponsoring the preservation awards program for transportation projects with the Secretary of Transportation. Drawing on that experience and having surveyed the Presidential awards programs, the Council endorsed a proposal to create the Presidential Historic Preservation Awards Program to recognize excellence in federally assisted historic preservation efforts. There is no other such Government-wide awards program. A Council task force has been appointed to oversee its development and plans are underway to coordinate an awards program with the celebration of the 20th anniversary of the National Historic Preservation Act in 1986.

As another initiative for fiscal year 1985, the Council began developing new guidelines for State historic preservation legislation. Through an Intergovernmental Personnel Act exchange, the Council received the services of an attorney from the State of New York to prepare a draft of legislative guidelines. Background research and preliminary drafting are completed, but the project has been delayed until the revised Section 106 regulations are in place.

Training

Training Accomplishments During the Year

The Council's 2-day training course, "Introduction to Federal Projects and Historic Preservation Law," successfully continued to teach Federal, State, and local officials their historic preservation responsibilities under Section 106. During fiscal year 1985, the course was offered 15 times in 10 cities, including agency-specific courses for the California Department of Transportation (CALTRANS), the Environmental Protection Agency, and the Army. A total of 403 officials was trained this year, with the largest

number of trainees representing the Army, Army Corps of Engineers, Bureau of Land Management, National Park Service, State transportation offices, and CDBG/UDAG cities. A significant number of staff members from SHPO offices also benefited from the introductory training. The complete 1985 training schedule follows:

October 11–12—Santa Barbara, California (CALTRANS)
January 28–29—Washington, D.C.
February 25–26—New Orleans, Louisiana
April 11–12—Portland, Oregon
April 15–16—Seattle, Washington
April 15–16—Chicago, Illinois
April 18–19—Anchorage, Alaska
May 2–3—Boston, Massachusetts
June 6–7—Denver, Colorado
June 20–21—Atlanta, Georgia
July 11–12—Washington, D.C.
July 22–23—San Francisco, California
July 25–26—San Francisco, California
August 15–16—Dallas, Texas (EPA)
August 20–21—Arlington, Virginia (Washington Army District)

Over the 5-year life of this program, the Council has trained more than 1,300 officials in 52 separate training sessions. The Council's project review staff reports that this has resulted in more efficient, timely agency compliance and has greatly improved agency officials' understanding of how the Section 106 review system works and what their roles are in the review process.

How the 2-Day Course Operates

The introductory course is currently available either to individual trainees in open sessions or to agency groups in special onsite sessions. Operation of the program is now cosponsored by the General Services Administration Training Center, which coordinates course logistics and handles class registration. The Council provides the course curriculum, training materials, and instructors, ensuring that classes accurately reflect current Council policy and practice.

An individual's cost for attending an open session of the course will be $160 in 1986, down from $180 in 1985. Trainees receive a thick course book designed to serve as a Section 106 desk reference after the course. Requests to receive the course announcement, which contains registration details, should be addressed to the Property Management Institute, GSA Training Center, P.O. Box 15608, Arlington, VA 22215. Open course sessions planned for 1986 include:

January 23–24—Washington, D.C.
February 20–21—Honolulu, Hawaii
March 17–18—Phoenix, Arizona
April 17–18—Nashville, Tennessee
May 15–16—Boston, Massachusetts
June 16–17—Kansas City, Missouri
July 14–15—Washington, D.C.
August 7–8—Seattle, Washington

Agencies may request presentation of the course to groups of up to 30 persons; the cost is typically $3200 for courses held in the continental United States. Agency inquiries about such special onsite sessions of the course should be made in care of the Training Office, Advisory Council on Historic Preservation, The Old Post Office Building, 1100 Pennsylvania Avenue, N.W., Suite 809, Washington, DC 20004.

Curriculum Improvements

To further refine the program, the Council this year mandated expansion of the 2-day, introductory training in order to better accommodate individual agency needs for Section 106 information and to provide to State Historic Preservation Offices advanced training in Council policy and practice.

To accomplish the first objective, course instructors worked closely with agency officials prior to classes presented to single-agency groups, identifying agency concerns and procedural questions about Section 106 review and then tailoring the classes accordingly. Feedback from the agencies was excellent; this approach will be continued.

The Council has also been working closely with the Department of Housing and Urban Development (HUD) to create a new series of 3-day introductory training course offerings for CDBG/UDAG officials, who act as Federal agency surrogates during Section 106 review because such compliance has been statutorily delegated to them by HUD. Current plans call for those course sessions to begin in fiscal year 1986.

To better serve SHPO needs, the Council conducted several special briefing sessions for SHPO staff members during the year. Sessions were presented for members of the California, Wyoming, and Nebraska SHPO staffs; another addressed representatives from eight northeastern States and the District of Columbia. An open-issue discussion for all SHPO offices was held during the Washington annual meeting of the National Conference of SHPO's.

The Council also participated in training programs carried out by the U.S. Army and the Army Corps of Engineers and conducted informal training sessions during several regional and national archeological meetings.

Operational Improvements

A major operational change in the training program has streamlined its management and will save trainees money. Cosponsorship of the program was shifted during 1985 from the 10 Office of Personnel Management (OPM) Training Centers to the centralized national GSA Training Center. More efficient course planning through a single training organization and reduced course registration fees were the primary reasons for the shift, which should result in more training for fewer dollars in years to come.

The Council is greatly indebted to officials of the 10 OPM Training Centers for their superb assistance through these past several years of operation. OPM's cooperation with the original training program has made it accessible nationwide and has greatly improved the general level of Section 106 knowledge among agencies throughout the Government.

Archeological data recovery was done pursuant to a Memorandum of Agreement resulting from Section 106 review of proposed improvements to the Vine Street Expressway in Philadelphia, Pennsylvania. Excavations focused on two 19th-century working-class residential areas for Irish immigrants and free Blacks. Documentary research indicated that the remains of seven human burials were associated with the First African Baptist congregation of Philadelphia, which occupied the site from 1810 to 1822. (Photo courtesy of John Milner Associates.)

Council Assistance to Other Agencies' Preservation Training

A number of other agencies developed their own historic preservation training programs during the year, and the Council assisted them to help ensure consistency in Section 106 information. The Council aided the Army, Army Corps of Engineers, the National Park Service, and the USDA Soil Conservation Service in this way.

Publications

Federal Preservation Case Law Report

A new special report published this year, "Federal Historic Preservation Case Law," is the only current review and compilation of Federal historic preservation case law from 1966, when NHPA was enacted, through 1985. A useful reference for anyone interested in preservation litigation, the report presents the development and interpretation of Federal historic preservation case law and defines procedural questions in litigating preservation cases. It also presents a chronological digest of every preservation case tried in Federal courts since 1966.

The report is written in terms understandable to the layman, yet is comprehensive enough to be useful to attorneys as well. It is thoroughly indexed by case and contains both chronological and alphabetical tables of cases. The report is available for sale from the Government Printing Office for $3.25 per copy; the GPO stock number, used for ordering, is 052-003-01000-3. A sales flyer that provides a more complete description of the report is available from the Council without charge.

New Fact Sheets

In response to inquiries from the public about non-Council preservation issues and programs, the Council has developed a fact sheet entitled "Guide to Key Preservation Organizations," which describes the primary programs of many well-known preservation groups and provides addresses for obtaining further information. Single copies are available from the Council without charge.

Another new fact sheet, "Programmatic Memoranda of Agreement," explains what PMOA's are and lists every PMOA now in effect. Single copies are available without charge.

International Preservation Activities

The year 1985 brought dramatic changes in the international preservation arena. On December 31, 1984, the United States officially withdrew from UNESCO, terminating U.S. support for UNESCO-sponsored cultural heritage activities and limiting the opportunity for Americans to participate in them.

Recognizing that withdrawal from UNESCO would decrease the U.S. role in international educational, scientific, and cultural activities, the State Department launched an interagency effort to find alternative mechanisms for U.S. involvement. The underlying intention was that the monies normally going for U.S. membership in UNESCO would be spent, at least initially, on alternative activities meeting the same objectives. Approximately $2 million of the U.S. annual membership fee of $48 million had supported UNESCO cultural heritage activities. The Council actively participated in this exercise, recommending increased support for the International Center for Conservation in Rome (ICCROM), the World Heritage program, and the International Council of Monuments and Sites (ICOMOS). Respecting the budget deficits and a strong movement to balance the Federal budget, the 1986 State Department budget went forward without the $48 million, so none of the alternative activities received any additional funding.

Even without the U.S. participation in UNESCO, 1985 brought many positive developments in U.S. involvement in international preservation activity. Some activities involved the Council. The United States continued to benefit from its membership in ICCROM, which is coordi-

A survey of 40 miles of transmission line resulted in the discovery of 38 prehistoric archeological sites in southeastern Pennsylvania. One site produced surface material ranging in date from the Paleo Indian period (ca. 10,000 B.C.) through the Late Woodland period (ca. A.D. 1550). Approximately 400 shards of quartz-tempered Vinette I pottery, one of the earliest prehistoric wares in the Middle Atlantic region, were recovered. (Photo courtesy of John Milner Associates.)

nated by the Council. As it has for the past few years, the Council contracts with the U.S. National Committee for ICOMOS (US/ICOMOS) to assist with ICCROM coordination. In 1985, seven American students participated in ICCROM training courses, which are unique resources for developing preservation expertise. Nearly 100 Americans have benefited from ICCROM training over the past decade, many of whom have become leaders in the national preservation program and various technical preservation disciplines. Working through US/ICOMOS, the Council has been able to locate financial support for these students through the National Museum Act grant program.

In 1985, ICCROM also shared its technical expertise to meet U.S. domestic preservation needs. The Army Corps of Engineers in Missouri contracted with ICCROM conservators to move and restore a significant folk art mural in a house slated for demolition during construction of a dam. A similar technical assistance project is currently being conducted in New York. However, the ongoing restoration of the West Front of the U.S. Capitol is the most visible of the fruits of ICCROM technical assistance in the United States. A technical assessment made by ICCROM experts in the early 1970's on masonry consolidation was an important element in the subsequent development of a restoration proposal.

The Council assisted in other developments in the area of international cultural heritage during the year. As a member of the Federal Interagency Panel on the World Heritage, the Council participated in the review of nominations of U.S. properties to the World Heritage List. These included the Statue of Liberty and Yosemite National Park. Thirteen of the current 186 entries on the World Heritage List are in the United States.

The Council also was a cosponsor, with the Organization of American States, the Army Corps of Engineers, the National Trust, the Department of the Interior, and others, of the Second New World Conference on Rescue Archeology, held in Dallas, Texas, on November 15–17, 1984. The conference brought together archeologists, government officials, and representatives of development interests from throughout the western hemisphere to discuss the problems involved in integrating archeological preservation with economic development. Following up on the Conference, the Council has consulted with the Agency for International Development (AID) and the World Bank about ways to ensure that the projects they fund are reasonably sensitive to the historical and cultural environments in which they are undertaken. The World Bank is in the process of completing historic preservation guidelines for its projects, and AID is helping to fund a training program in historic preservation planning, to be held in Amman, Jordan.

Planning continues for the 1987 General Assembly of ICOMOS, which will be held in Washington, D.C. in October 1987, the first time this important international preservation event will be held in the United States. A gathering of preservation experts and leaders from countries around the world, the General Assembly is being organized and funded primarily through the private sector under the leadership of US/ICOMOS. The Council participates actively in the direction of US/ICOMOS and in 1985 took steps to assist in planning for the 1987 General Assembly.

It is anticipated that the Council's unique oversight and coordination role in the Federal historic preservation program will be a valuable contribution to the General Assembly in 1987. Plans for the program include the active participation of the Council.

Conclusions

During fiscal year 1985, the long effort to revise and improve the Council's Section 106 regulations neared completion. Much time and effort have been expended by many concerned people, both in and out of Government, to move the Section 106 process forward. The Council anticipates the regulations will be put in place in 1986. The Section 106 review process will retain its major positive elements of consultation, agreement reached in the public interest, and full public participation while attempting to streamline the process and also providing flexibility. The revised regulations promise to bring needed reform and enable involved parties to move forward in a reasonable manner with their business. That business is defined in the two principal historic preservation statutes, the Historic Sites Act of 1935 and the National Historic Preservation Act of 1966. The first states that it is a national policy "to preserve for public use historic sites, buildings, and objects of national significance for the inspiration and benefit of the people of the United States." The second reminds us that "the historical and cultural foundations of the Nation should be preserved as a living part of our community life and development in order to give a sense of orientation to the American people."

Since the passage of NHPA, the definition of historic preservation has been expanded to include properties of State and local significance, and preservation has become a widespread, grassroots movement with long-term impact. With the growing acceptance of historic preservation activities as a revitalizing force in American life, the Council has found more willingness on the part of most agencies and their clientele to consider proposals to reuse rather than destroy historic properties. Through its studies, its Section 106 review, and its training programs, the Council seeks to assist preservation efforts and to provide the guidance needed to nurture them. As shifts in national priorities make old approaches and old techniques less effective, the Council will continue to seek new ways and innovative methods of accomplishing national preservation goals and objectives.

During the next fiscal year, the Council will launch a study to assess the effectiveness of the National Historic Preservation Act on its 20th birthday. There will be progress to report and some challenges that need solutions. The Council is looking forward to studying the depth and breadth of preservation activity so that it can be better understood and areas of concern can be more clearly identified. With reauthorization of the funding elements of the National Historic Preservation Act scheduled for consideration by the Congress in 1986-87, there may be opportunities for correcting some of the problems and for building on the many strengths of the preservation program. The Council looks forward to these opportunities for saving our Nation's heritage.

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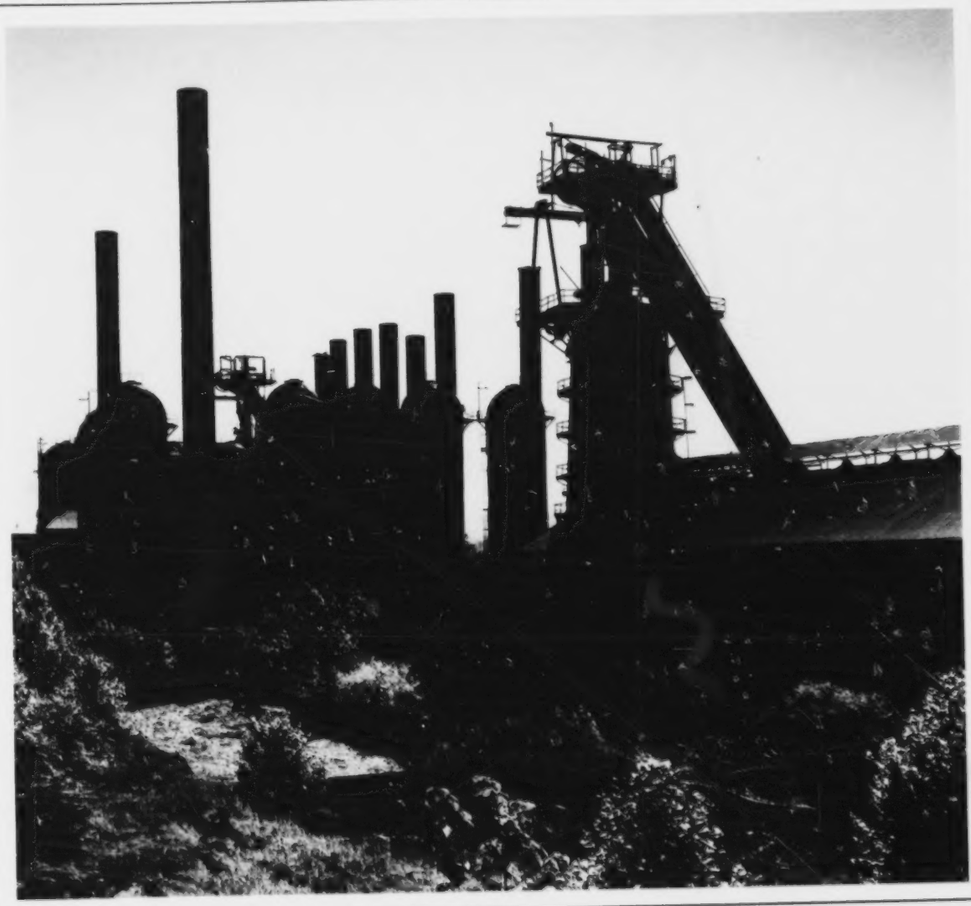
OVERVIEW: A LOOK AT PRESERVATION IN 1985



Jack E. Boucher

The Sloss Blast Furnaces in Birmingham, Alabama, one of the oldest remaining blast furnace complexes, were designated a National Historic Landmark (NHL) in May 1981. Nineteen eighty-five marks the fiftieth anniversary of the legislation that began the NHL program. (Photo courtesy of HABS/HAER.)

Walter Smalling

OVERVIEW: A LOOK AT PRESERVATION IN 1985

Honoring Our Heritage

Each year, Americans pause to remember those persons and occasions that have influenced the course of events in this country. During fiscal year 1985, several important anniversaries occurred, some commemorating those who have contributed to American life and culture, some honoring those who have died to sustain it, and some recognizing those who have tried to keep the memory of the past alive.

Historic Sites Act of 1935: Fifty Years of Progress

On August 21, 1935, President Franklin D. Roosevelt signed into law the Historic Sites Act, inaugurating a Federal effort to protect historic and cultural property in the United States regardless of ownership or jurisdiction. The Historic Sites Act began with these words: "It is a national policy to preserve for public use historic sites, buildings, and objects of national significance for the inspiration and benefit of the people of the United States."

To execute this policy, the Congress conferred a broad range of powers upon the Secretary of the Interior and his instrument, the National Park Service (NPS). The act instructed the Secretary of the Interior to conduct a survey to determine which sites and buildings possessed the quality of national significance and were thus of exceptional value in commemorating or illustrating the history of the United States. It permitted him to acquire personal and real property by gift, purchase, or other means in conformity with the intent of the law. He could not, however, obligate the general funds of the Treasury in the procurement of property until the Congress appropriated money

The 50-year-old Historic Sites Act was the first national policy statement calling for the preservation for public use of historic sites, buildings, and objects of national significance. The act established the Historic Sites Survey, on which the National Historic Landmarks (NHL) and National Register programs were eventually based, and fostered the Historic American Buildings Survey and Historic American Engineering Record, HABS/HAER. In recent years, it has been a HABS/HAER priority to document through photographs, drawings, and written data the National Historic Landmark properties that represent our national heritage.

One such property is the Cherokee National Capitol at Tahlequah, Oklahoma, which represents the tribe's continuing adjustment to its changing circumstances after the bitter "Trail of Tears" removal from the East. (Photo courtesy of HABS/HAER.)

Martin Lindsey

One of the few 19th-century glass-covered shopping areas in America, the NHL Cleveland Arcade was considered an engineering marvel in its day. (Photo courtesy of HABS/HAER.)

Walter Smalling

for that purpose, nor could he secure title of sites and buildings belonging to religious or educational institutions or operated for the public benefit without obtaining consent from the owners.

The act also gave the Secretary the authority to restore, reconstruct, rehabilitate, preserve, and maintain historic structures, sites, and objects of national importance acquired under its provisions. He could also initiate a program of related research and develop an educational program to convey the information to the public.

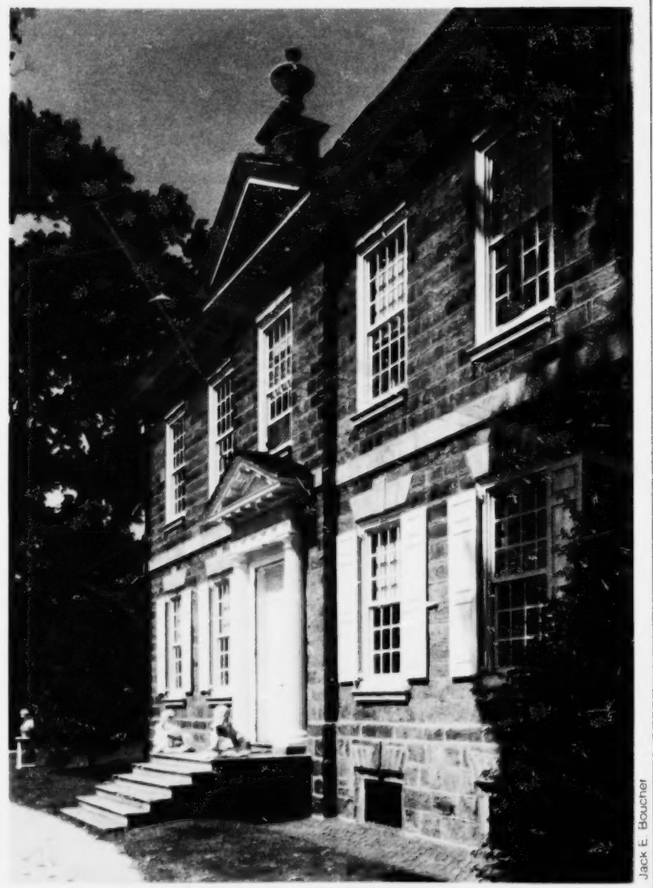
Other provisions of the act gave the Secretary of the Interior the authority to cooperate in the preservation of nationally significant historic sites, buildings, and objects administered by other Federal agencies or owned by States, local governments, private organizations, corporations, or individuals. He had the power to negotiate contracts or make cooperative agreements with them to protect, preserve, maintain, or operate sites, buildings, and objects for public use so long as he did not commit the Treasury without prior approval from the Congress.

Finally, the Historic Sites Act established the Advisory Board on National Parks, Historic Sites, Buildings, and Monuments to advise the Secretary on matters of national significance, additions to the National Park System, administrative policy, and other related issues.

With the passage of this act, the Federal Government had for the first time a general policy broad enough to deal effectively with preservation of our nationally significant resources in their entirety. Under this legislation, the National Park Service established or institutionalized a number of special programs to identify, document, and preserve historic, architectural, and archeological resources on public and private lands. Such programs included the Registry of National Historic Landmarks, the forerunner of the present National Register of Historic Places, and the Historic American Buildings Survey, which makes archival records of valuable architectural and engineering resources.

Under the 1935 act, the National Park System grew at a rapid rate, and now the National Park Service administers over 200 areas that have exceptional significance in illustrating or commemorating American history, architecture, archeology, and culture.

In perspective, the Historic Sites Act was the first major step in initiating a comprehensive national historic preservation program that encouraged and stimulated preservation activities nationwide, at all levels of government and in the private sector. Out of this legislation grew three major pieces of preservation legislation. The National Trust Act of 1949 chartered the National Trust for Historic Preservation to acquire and administer historic property and provide aid and leadership to the private sector in furthering historic preservation objectives. The Surplus Property Act of 1949 provided authority for the General Services Administration to convey Federal surplus property to State and local governments to be maintained by them as historic monuments. The National Historic Pres-



Jack E. Boucher

Cliveden, located in Philadelphia, is the type of building that most people associate with NHL status. This Georgian-style house is a landmark of the 1777 Revolutionary War Battle of Germantown, which helped secure the alliance of the United States with France. (Photo courtesy of HABS/HAER.)

ervation Act of 1966 provided for expansion of the National Register of Historic Places to include properties of State and local as well as national significance, for a grants-in-aid program for the States and the National Trust for Historic Preservation, and for an Advisory Council on Historic Preservation that would advise the President and the Congress on preservation policy and programs and to administer a program to ensure that registered properties are not needlessly harmed by Federal activities.

Additional legislation strengthened and expanded these statutes. The Archeological and Historic Preservation Act of 1974 granted explicit authority to Federal agencies to use construction funds for salvage of archeological and historical data. Amendments to the National Historic Preservation Act in 1976 established a Historic

Architectural drawings are an important part of HABS/HAER's documentation of NHL's. Oatlands in Loudoun County, Virginia, was laid out in a 5-part plan by its builder-owner, George Carter, in 1800. (Drawing courtesy of HABS/HAER.)

Jack E. Boucher

Jack E. Boucher

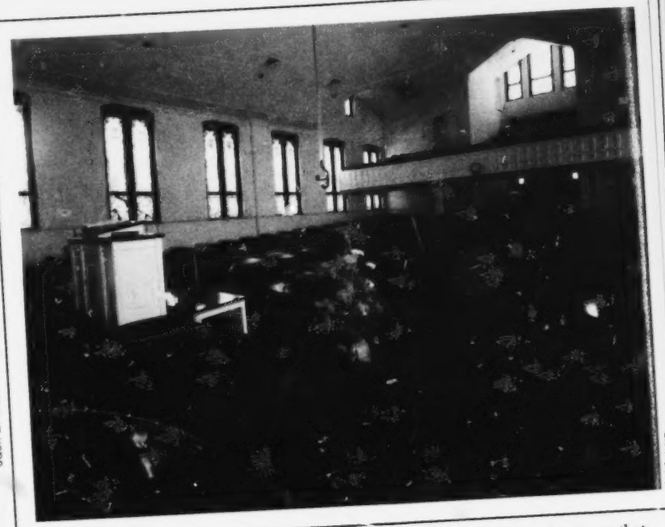
A sprawling, Mediterranean-style villa, home of the late Marjorie Merriweather Post, Mar-A-Lago exemplifies the baronial way of life of the wealthy who built mansions in Florida during the Florida land boom of the 1920's. The property has been designated an NHL. (Photos courtesy of HABS/HAER.)

Jack E. Boucher

Jack E. Boucher

The Ebenezer Baptist Church is part of the Martin Luther King, Jr., National Historic Landmark District in Atlanta, Georgia. The district includes the environs in which King grew up, his birthplace and grave, and the church where he served as assistant pastor. (Photo courtesy of HABS/HAER.)

The farms in the Green Springs National Historic Landmark District in Louisa County, Virginia, were a major source of wheat in the mid-1800's. Flourishing historic estates represent phases of Virginia architecture from British Colonial times to the 1860's. (Photos courtesy of HABS/HAER.)



Jet Lowe

Preservation Fund in the Treasury that would be maintained by revenue from mineral leasing on public lands and the Outer Continental Shelf, applied the Advisory Council protective system to properties eligible for as well as listed in the National Register, and made the Advisory Council an independent Federal agency. Amendments to the National Historic Preservation Act in 1980 instructed Federal agencies to undertake specific historic preservation duties and provided authority for use of new techniques in achieving historic preservation goals. The Tax Reform Act of 1976 and the Economic Recovery Tax Act of 1981 instituted tax incentives to foster private sector rehabilitation of commercial historic properties.

House Joint Resolution 299

To recognize the anniversary of the pioneering Historic Sites Act, Representative Albert G. Bustamante (D) of Texas introduced House Joint Resolution 299 on June 4, 1985. On July 23, the Subcommittee on Public Lands of the House Interior and Insular Affairs Committee, chaired by Representative John F. Seiberling (D) of Ohio, held hearings on the resolution, gathering testimony from the National Park Service and other parties. Following the discussion, the subcommittee voted to send the resolution forward without change. The next day, the full committee ordered the document reported with no amendments and recommended its approval by the House. It reads as follows:

> Recognizing the accomplishments over the past 50 years resulting from the passage of the Historic Sites Act of 1935, one of this Nation's landmark preservation laws:
>
> Whereas the Act popularly known as the the Historic Sites Act, enacted in 1935, for the first time states that the national policy on historic preservation is "to preserve for public use historic sites, buildings and objects of national significance for the inspiration and benefit of the people of the United States";
>
> Whereas the Historic Sites Act gave rise to a National Historic Sites Survey, which identified hundreds of sites that are important to understanding and commemorating the history of the United States;
>
> Whereas based on the results of that nationwide survey and continuing investigations of historic properties, the National Historic Landmarks Program and the National Register of Historic Places were begun to identify sites of National, State, and local historical significance;
>
> Whereas the Act fostered the documentation of unique examples of American architecture and engineering by the Historic American Buildings Survey and the Historic American Engineering Record; and
>
> Whereas it would be appropriate and in the public interest to mark the 50th anniversary of the enactment of the Historic Sites Act and the preservation of our National heritage that continue as a result of that landmark legislation: Now, therefore, be it
>
> Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes" (approved August 21, 1935; 49 Stat. 666) is hereby recognized for its substantial contributions over the past 50 years to the identification and protection of the Nation's cultural heritage.

In the report accompanying the resolution, the House Interior and Insular Affairs Committee noted that advisory committees for the Historic American Buildings Survey and Historic American Engineering

Jack E. Boucher

Jack E. Boucher

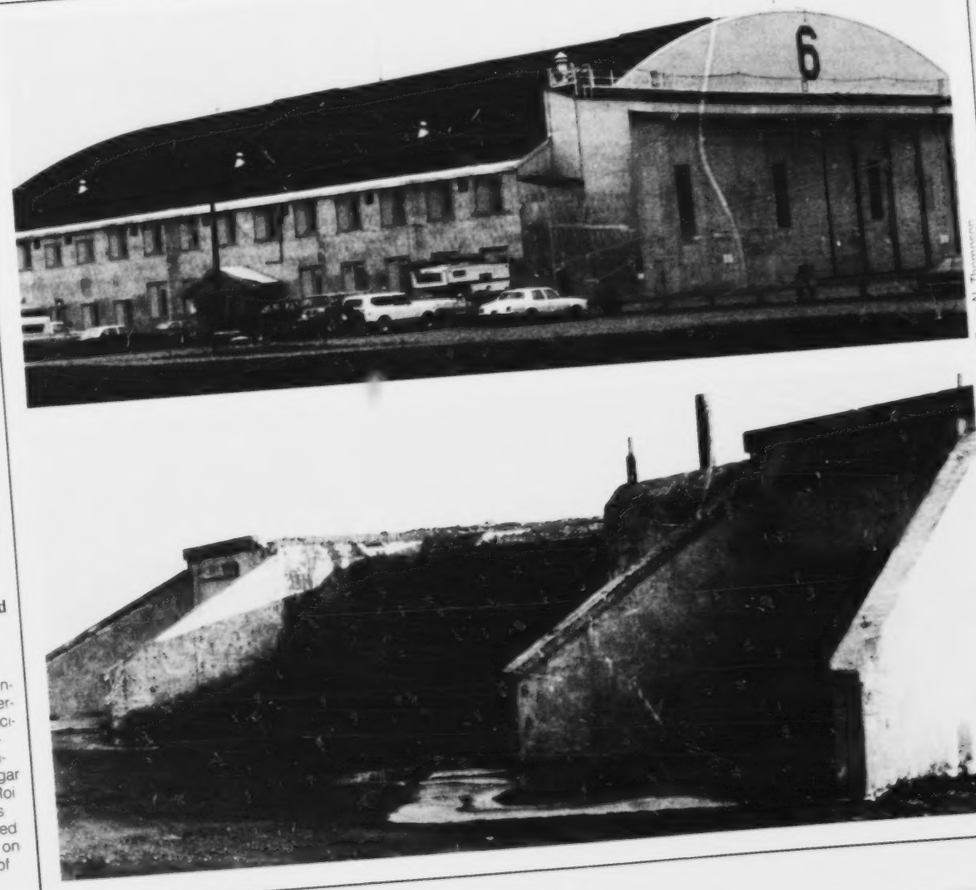
These 1762 Waterworks in Bethlehem, Pennsylvania, are believed to be the first municipal pumping system to provide water for drinking and washing in the United States. The property is a designated NHL. (Photos courtesy of HABS/HAER.)

Record formerly provided advice to the NPS through the services of professional architects, historians, and engineers, but that since 1978, this review system had not been used. The committee report encouraged the NPS to reactivate the advisory committees for the purpose of providing technical review and as a way of encouraging and educating the private sector in the work of these programs.

Military Events Commemorated

Historic military events, especially those of World War II and the Vietnam War, received a great deal of attention during 1985. May 8, 1985, was the 40th anniversary of V-E Day, marking the formal end of World War II in Europe as a result of Germany's unconditional surrender. In August, Americans remembered the dropping of the first atomic bombs on Hiroshima and Nagasaki, events which led the Japanese to surrender on August 14, 1945 (V-J Day), and permanently changed the world.

In keeping with the country's interest in World War II, the Secretary of the Interior designated 11 related properties as National Historic Landmarks in 1985. Among the sites and properties recognized



Military history received a good deal of attention this year, stimulated by the 40th anniversary of the end of World War II. Twelve Pacific war sites were designated National Historic Landmarks by the Secretary of the Interior. They included a birchwood-type hangar at Ladd Field, Alaska; a 127mm gun on Roi Island, part of the first Japanese territories captured by U.S. Marines; and a reinforced concrete magazine for a two-gun battery on Kodiak Island, Alaska. (Photos courtesy of the National Park Service.)

Edwin N. Thompson

Joseph Sogge, U.S.A.

The hospital building at Fort Humboldt State Historic Park, Eureka, California, which was restored this year, is the only surviving structure from the original military garrison (1853-1870). (Photo courtesy of the California Department of Parks and Recreation.)

were Attu Battlefield on Attu Island, Alaska, site of the only World War II battle fought on the North American continent; the Manzanar War Relocation Camp near Lone Pine, California, where the army detained 10,000 United States aliens and citizens of Japanese descent during the course of the war; Truk Lagoon Underwater Fleet in Truk Lagoon, Micronesia, where American aircraft sank 35 Japanese vessels in two attacks in the spring of 1944; and Peleliu Battlefield, Palau Islands, Republic of Palau, where Japanese forces withstood American attackers for 74 days during the drive to recapture the Philippines.

Nineteen eighty-five also marked the 20th anniversary of America's major commitment of forces in Vietnam and the 10th anniversary of the withdrawal of American troops from that country. Accordingly, the Vietnam War Memorial continued to be an important site to those visiting Washington, D.C.

Park Anniversaries Celebrated

The National Park Service celebrated the 25th anniversary of the establishment of the Blue Ridge Parkway, which preserves a beautiful historic setting and many cultural resources of Appalachia. Citizens also celebrated the establishment of what is now the country's oldest State park. In 1885, the State of New York acquired land from which visitors could view the spectacular Niagara Falls, the first time that a State had exercised the right of eminent domain for purely esthetic reasons. The Niagara Reserve Centennial Commission celebrated the anniversary with a number of events, including preparation of an exhibit honoring the park's principal promoter, Frederick Law Olmsted.

Constitution Bicentennial Plans Proceed

Finally, the Nation began to make preparations for anniversaries to come, none of which has been more publicized than the bicentennial of the United States Constitution in 1987. On September 29, 1983, President Reagan signed Public Law 98-101, creating the Commission of the Bicentennial to promote and coordinate activities to commemorate the 200th anniversary of the adoption of the United States Constitution on September 17, 1787. On June 25, 1985, President Reagan appointed all but three of its members, and the commission is now hiring a staff to carry out its activities. Chief Justice Warren E. Burger chairs the 23-member commission, which includes members of the House, the Senate, and the United States Circuit Court, as well as citizens from the private sector.

During the year, a number of agencies announced bicentennial plans. The National Archives, which has the original Constitution under its protective care, will sponsor several activities, including seminars on constitutional issues. In September 1987, the Archives will hold an 87-hour vigil honoring the Constitution in which the President and the Chief Justice of the Supreme Court are expected to participate. The National Endowment for the Humanities has created a special bicentennial office to coordinate its efforts, which include grants for research and projects on constitutional themes.

The National Park Service is working with local groups to develop plans for Independence National Historic Park in Philadelphia, the site of the convention that ended in the adoption of the Constitution. Official celebration dates in the city are May 25 through September 17, 1987 (the dates of the Constitutional Convention), with a "We the People 200" committee planning, promoting, and coordinating events. The U.S. Marshals Service plans a museum to commemorate the agency's 200-year history. The Census Bureau plans to survey socioeconomic changes in the United States that were influenced by the Constitution, and the U.S. Information Agency plans a program of traveling scholars, educators, and students under the banner of "Project 87."

The Senate will prepare a comprehensive biographical guide to past and present members of that body, and House projects include the preparation of an updated edition of the "Biographical Directory of the American Congress" and an illustrated history of the House. The Supreme Court plans exhibits on both the drafting of the Constitution and the House's role in interpreting the document through its decisions. The Library of Congress will publish the records of the Federal convention of 1787, and the Smithsonian Institution will bring back its 1976 exhibition "After the Revolution: Everyday Life in 18th-Century America."

Preservation of Historic Properties

Nineteen eighty-five was a significant year in the effort to restore, rehabilitate, and reuse properties of historic, architectural, and engineering importance. As reported above, consultation and mitigation through the Section 106 process saved many properties and provided for retrieval of much archeological data. In the non-Federal sector, the 25 percent investment tax credit for rehabilitation of certified historic buildings for commercial purposes was the leading factor in stimulating activity. In some instances, joint investment of public and private funds ensured preservation of outstanding historic properties. What follows is a sampling of restoration and preservation projects that were planned, carried out, or newly in use during 1985.

Government Buildings

Work on the $49 million restoration of the West Front of the United States Capitol continues ahead of schedule. Workers have removed 35 coats of paint from the exterior and conducted tests to determine structural damage. To brace the 75-foot-high front, more than 1,000 stainless steel tie rods are being drilled horizontally into the time-worn sandstone, as much as 12 yards deep at some of the weakened pressure points. When the Capitol required reconstruction after its destruction by British troops in the War of 1812, the rebuilders chose sandstone over more durable marble because it was cheaper and could be easily barged from the nearby Aquia Creek quarry via the Potomac and Tiber Creek, which used to cut across the neighborhood.

In June 1984, workers replaced and painted the vast roof of the Old Pension Building, permitting craftsmen to begin restoration of its Great Hall, a job that was completed in time for this magnificent space to serve as one of the Reagan Inaugural Ball sites. At the same time, work continued on the exterior of the building, where cleaning recovered the brilliance of the building's frieze, which was designed by Caspar Burbel and is now recognized as a major work of American 19th-century sculpture. Architects estimate that, in addition to the $4.65 million already spent on the work, another $30 million will be needed to undertake the basic reconditioning necessary to adapt the structure for use as the National Building Museum.

Homes of Outstanding Americans

Homes of Former Presidents

On October 26, 1984, the National Trust for Historic Preservation acquired title to Montpelier, the Virginia estate of James Madison, one of our founding fathers and fourth President of the United States. Located about 95 miles southwest of the Nation's capital, the 2,677-acre estate includes the main house, built in 1755 by Madison's father, and approximately 100 other buildings. During his early years at Montpelier, Madison helped write Virginia's Constitution and Declaration of Independence. Later he wrote the Virginia Plan, the basis for the United States Constitution, and the Bill of Rights. During and after his presidency, Madison and his wife Dolley entertained lavishly at Montpelier. Madison died there in 1836 and is buried on the property. The only home of our early Presidents not open to the public, Montpelier is being developed for visitation and a Montpelier fund has been created.

At Monticello, architects completed restoring Thomas Jefferson's skyroom to its 1809 appearance, eliminating a late-19th-century remodeling. Capped by eight circular windows and a skylight and accessible by stairs only 24 inches wide, the room was a nursery and guest quarters during Jefferson's time.

During 1985, the country celebrated the centennial of the death of Civil War General and former President Ulysses S. Grant on June 23. In preparation, the National Park Service spruced up Grant's Tomb, which had been covered with dirt, debris and graffiti, and posted guards to protect the property in the future. At the same time, the State of New York announced that the upstate house in which the general lived during his last years was being deactivated as a historic site. Four years ago, the State turned the area surrounding the property into a medium-security prison, and the presence of gun towers, barbed wire, armed guards, and inmate work crews was so intimidating that public visitation fell from 3,500 to 500 per year, making continued operation infeasible. The State planned to add the house to the prison facility after Labor Day and use it as an office or residence for the superintendent.

Homes of American Authors

Nineteen eighty-five was the 150th anniversary of the birthday of Samuel Langhorne Clemens, the 75th anniversary of his death, and the 100th anniversary of the publication of his classic novel, "Huckleberry Finn," which Ernest Hemingway once called the beginning of modern American literature. In honor of these events, the writer's hometown of Hannibal, Missouri, held a 128-day Mark Twain Sesquicentennial Celebration, which included drama, music, and art festivals. As part of the commemorative effort, the city used the State's tax credit program to assist owners in restoring historic storefronts in an 8-block

a. Included were Clemens' Boyhood Home, which is now a gift shop, and the 1885 Old Federal Building, which has been converted to a restaurant.

Sinclair Lewis, who was born 100 years ago on February 7, 1885, in Sauk Centre, Minnesota, became in 1930 the first American to win the Nobel Prize for literature. Lewis's boyhood home in Sauk Centre, which achieved National Historic Landmark status in 1970, has been restored and refurnished. To mark the anniversary of his birth, the Sinclair Lewis Foundation restored the loft in the barn behind the house to its original appearance. It was in this loft that Lewis began work on his novel "Main Street."

In Atlanta, the home of Joel Chandler Harris, creator of Br'er Rabbit, will be restored. The Joel Chandler Harris Association, with the aid of a National Trust preservation services grant, has made plans to revitalize the property and hopes to raise $240,000 for the restoration. Open to public visitation since 1913, the Wrens Nest has suffered from neglect in recent years.

Properties in the National Park System

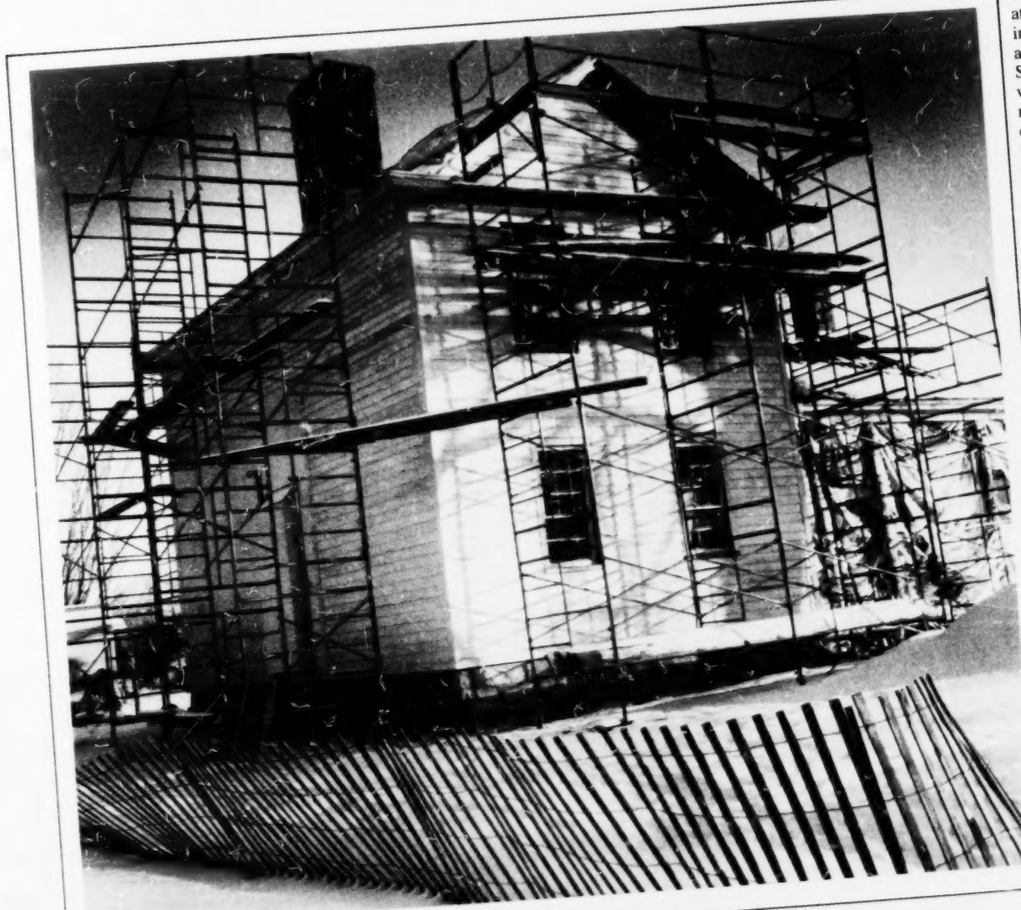
The National Park Service has begun restoring the main building at Ellis Island, a $-0 million project supported by donations to the Statue of Liberty/Ellis Island Foundation. Architects report that the tile-arched registry room and other public spaces will be fully restored. The ground-floor baggage area and railroad ticket office and the second-floor registry room will be returned to their 1918–1924 appearance and used for exhibitions and interpretive tours.

On June 24, the House of Representatives accepted an amendment by the Sen-

Edward H. Adelman

The Cuyahoga Valley National Recreation Area in Ohio is restoring the Jaite Paper Mill Complex as its headquarters facility. Representing a largely intact company town, the Jaite buildings are historically significant. They include duplex houses, single-family bungalows, a carriage house, a privy, and a company store with dormitory space. (Photos courtesy of the Cuyahoga Valley National Recreation Area.)

Edward H. Adelman



Regina Moriarty

The Elizabeth Cady Stanton House has undergone extensive work to restore it to its 1846-62 appearance. One of several buildings that comprise the Women's Rights National Historical Park in Seneca Falls, New York, the house gives testimony to Elizabeth Cady Stanton's 50-year devotion to the cause of equal rights for women. (Photo courtesy of the Women's Rights National Historical Park.)

ate to its original bill to authorize the minting of three commemorative coins to raise an estimated $137 million to renovate the Statue of Liberty and Ellis Island. There will be a half-million $5 gold coins commemorating the centennial of the Statue of Liberty, 10 million silver dollars commemorating Ellis Island, and 25 million half dollars depicting the contributions of immigrants to America.

The NPS has completed restoration of the Jaite Paper Mill complex into a headquarters facility for the Cuyahoga Valley National Recreation Area. The Jaite buildings are historically significant because they represent a large intact company town, many of which were developed in the early 20th century.

At the Herbert Hoover National Historic Site, the NPS completed restoration of two houses near the birthplace of the Iowa-born President—the Mackey House and the Garvin Cottage—and moved in a third building of the same period in an effort to recreate the ambience of Hoover's time. The NPS also restored the Elizabeth Cady Stanton House in Women's Rights National Historic Park in Seneca Falls, New York.

On July 1, 1984, the NPS officially opened the first of 13 restored historic buildings that form the core of Klondike

Gold Rush National Historical Park, the original White Pass and Yukon Railroad Depot. The 4-year project cost $1.5 million. The other buildings are being leased to private parties who must restore their interiors, aided by the 25 percent investment tax credit. The development of the park has stimulated a flurry of renovation activity in Skagway that the NPS is encouraging by providing technical assistance and the loan of tools.

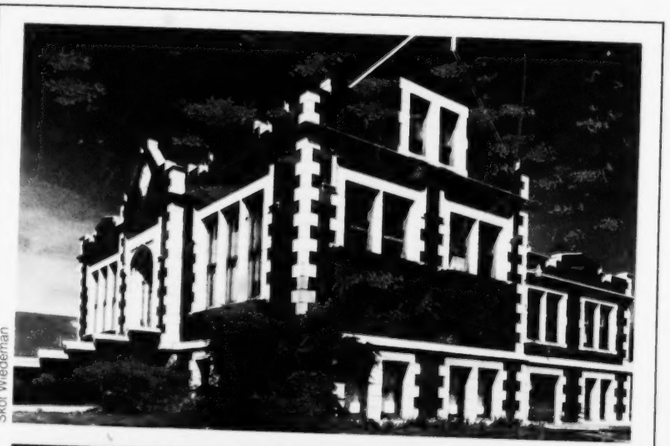
The NPS also took steps to acquire 1,629 acres near Frederick, Maryland, to establish the Monocacy National Battlefield Park, where Union soldiers prevented the Confederates from reaching Washington. Plans are to open the park to the public in two years. Additional land surrounding the park will be protected under a scenic easement program.

Finally, the NPS went to U.S. District Court in Alexandria, Virginia, to win title to the 312-acre Brawner Farm, scene of a bloody fight on August 28, 1862, between General Stonewall Jackson's 7,000 Confederate soldiers and 3,000 Union troops. This property has been added to Manassas Battlefield Park.

Public Buildings

A number of courthouses and city halls were among the notable restorations of public buildings in 1985. Jobs Bill funds helped to restore the 1901 Madison County Courthouse in Danielsville, Georgia. The city hall and police station in Oconomowoc, Wisconsin, built in 1886 in the Romanesque Revival style, has been restored and enlarged. In naming the building an Honor Award winner, the Wisconsin Society of Architects called the adaptation "a significant architectural statement about how smaller communities can preserve important buildings." The Pennsylvania Historical and Museum Commission named the restoration of the Adams County Courtroom, built in 1859, as its "Outstanding Restoration Project of 1985." The courtroom will be used as a meeting room for some events sponsored by Historic Gettysburg-Adams County, Inc., and for the swearing in of county officials. New York City's Tweed Courthouse, built in 1872 and named for the infamous William March "Boss" Tweed, is receiving much-needed renovation and will become overflow office space for the adjacent city hall.

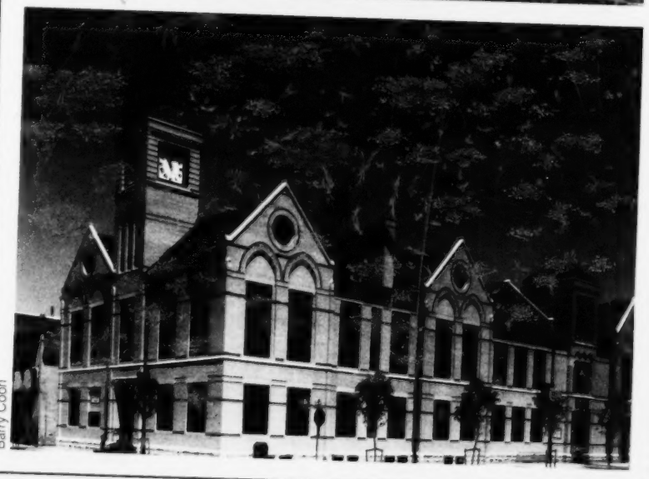
In Miami, Florida, the city's oldest fire station is being restored for $1.2 million into restaurants and concert space. In Madison, Wisconsin, Federal tax credits made possible the conversion of a 1905



Skot Wiedeman

The Northwest Regional Foundation plans to return the Heath Public Library to its original splendor. The NRF, a local nonprofit community organization, purchased this National Register-listed building at a city auction to use as office space and a center for community activities. The Trust for Public Land enabled NRF to close on the sale with an interim, short-term loan from the Property Acquisition Revolving Fund. (Photo courtesy of the Northwest Regional Foundation.)

Building deterioration and the need for more space to accommodate city functions prompted the expansion and restoration of the city hall and police station in Oconomowoc, Wisconsin. The award-winning design restored the Romanesque Revival municipal building's 1886 character while expanding its space through an addition that harmonizes with the existing architecture. (Photo courtesy of The Durrant Group Inc.)



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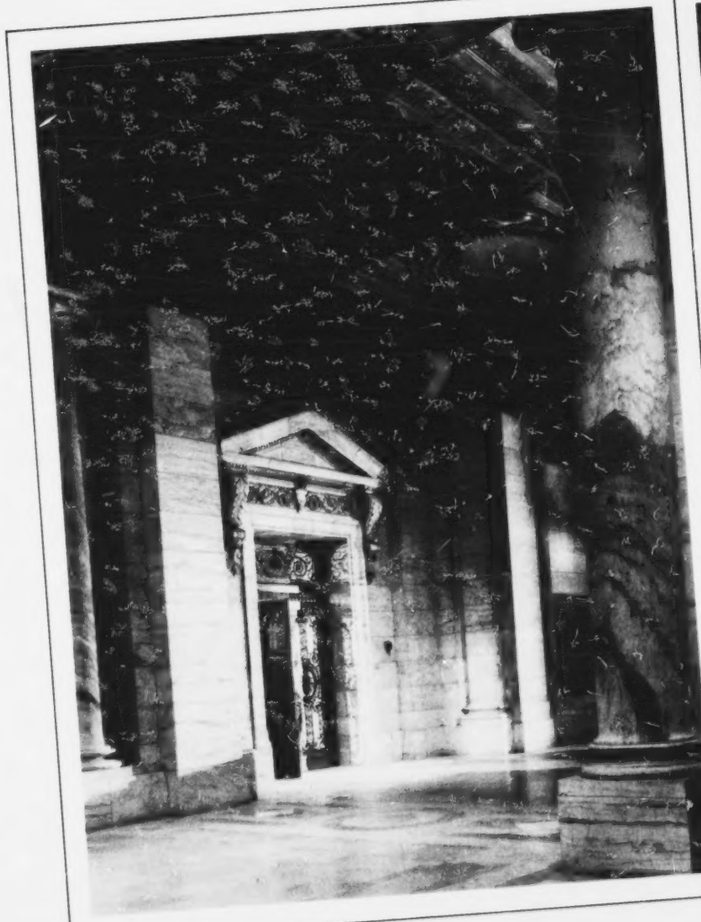


George Cserna

George Cserna

The New York City Public Library initiated the restoration and restructuring of its periodical department in order to serve contemporary needs. Lights were added to increase illumination; all sculptured wood panels, marble moldings and floors, and bronze rails were restored to their original condition; and a new heating and cooling system was installed without affecting the general appearance of the highly decorated space. (Photos courtesy of Giorgio Cavaglieri, Architect.)

rehouse into apartments for University of Wisconsin students.

The Preservation League of New York State recently honored a number of public building restorations. Receiving awards for appropriateness and quality of restoration work performed were the 1873 Chenango County Courthouse, the 1870 Oswego City Hall, the 1915 Oneonta City Hall, the 1846–1851 Brooklyn Borough Hall, the 1880 Otsego County Courthouse, and the 1930 Schenectady City Hall. Another winner of a Preservation League Historic Civic Building Award was the 1847 Cazenovia Town Hall, which had been converted from a residence. In addition, the league gave a special award to the Governor of New York for the restoration of the Executive Chamber of the New York State Capitol.

Other Properties of Special Significance to State and Local Governments

Mayor Edward Koch opened the Gracie Mansion for viewing on November 7, 1984, marking the end of a 5-year effort to restore and refurnish the home of New York City mayors since 1942. Built in 1799, the Gracie Mansion now looks much as it did in 1810, when it served as a country retreat. The $6 million restoration of the 14-room mansion involved many of the city's noteworthy architects, interior designers, craftsmen, artists, and members of the business community. Complete landscaping of the 2 acre grounds is planned for 1986.

Preservation of the remains of Alabama's first capital got underway when the Alabama Historical Commission acquired land parcels at Cahawba. Because the abandoned river town did not suffer urban development, the site is a promising one for study, and the area will eventually become a historical and recreational park.

In August 1984, President Reagan signed legislation creating the Illinois and Michigan Canal National Heritage Corridor, a 100-mile strip of an 1848 canal. Running from Navy Pier and Lake Calumet in Chicago to LaSalle/Peru on the Illinois River, the linear historical park bisects 49 communities and encompasses over 200 historic districts and buildings, 8 State parks, and 38 important natural areas. The statute authorized establishment of a commission to stimulate public and private preservation efforts and appropriated $250,000 for the first year. The purpose of the corridor is to "preserve, enhance and interpret" the natural, cultural, historic, and economic resources of Northeastern Illinois, and Federal designation has already stimulated several restoration projects. One of the first was the rehabilitation of Lockport Station in Lockport, Illinois, which will be part of an open-air museum.

Hotels

Hotel receipts declined with deterioration of downtowns in the 1950's, but recently owners encouraged by tax incentives are restoring them to form centers of attraction in revitalized areas. Although only about 3 percent of projects receiving tax credits are hotels, they are some of the most visible. For example, the 720-room 1924 Mayflower Hotel in Washington, D.C., was restored for $6 million during a 3-year period. Glazing of 24-carat gold leaf in the lobby and opening previously covered skylights were special benefits.

In Grand Island, Nebraska, the 1923 Yancey Hotel is being converted to condominiums, and in Little Rock, Arkansas, the former Frederica and Sam Peck Hotels have been restored to become the Legacy Hotel. Financed through a $6.6 million bond, the latter project is part of revitalization occurring in a targeted 4-block district of the city. The 1889 Blenner Hassett Hotel in Parkersburg, West Virginia, is also being restored to its original use, and the 1927 Heathman Hotel in Portland, Oregon, has been restored for $16 million. Developers have also completed the $2 million restoration of the Plaza Hotel in Las Vegas, New Mexico.

In Boston, the 1860's Saint Cloud and an adjacent companion structure are scheduled for conversion into condominiums,

Bill Schuemann

As the centerpiece of the Chautauqua Institution's lakefront, the Athenaeum Hotel now enjoys the prospect of extended life after undergoing extensive structural repairs and upgrading to meet building code requirements. The grand hotel has been in use every summer since it was built in 1881. (Photo courtesy of Gaede, Serne, Zofcin, Architects, Inc.)

artists' studios, and commercial space. In Galveston, Texas, the 1879 Blume Building has been restored and opened as the Tremont House hotel. Purchased by the owners from the Galveston Historical Foundation's revolving fund, the building was restored through the use of Federal tax credits. The Lexington Hotel in Chicago, Illinois, built in 1892, will be restored for $6.5 million as apartments and a museum of women's achievements, and the 1908 Cadillac Hotel in San Francisco is being rehabilitated by a nonprofit group for low-income housing. The hotel gymnasium, which will continue in use, served in past years as a training ground for Joe Louis, Jack Dempsey, Rocky Marciano, and Muhammad Ali.

Theaters

Established in 1977 to help communities save their dramatic legacies, the League of Historic American Theaters recently identified 902 pre-1915 theaters in the United States and reported that about 130 of them had recently been restored. Among those undergoing restoration in 1985 were the landmark Art Deco Theatre for the Performing Arts in Burlington, Vermont. Built in 1930, this former movie house has seating for 1,454 and will host about 100 live performances per year.

In Cleveland, Ohio, the $27 million restoration of three 1920's theaters—the State, the Ohio, and the Palace—is nearing completion. The city hopes to become a regional arts center, and restoration of the 3 theaters with their 7,400-seat capacity is a step toward that end. Estimates are that comparable new construction would have cost $150 million.

The city of Rahway, New Jersey, is helping to fund the $1 million restoration of

Theatre Historical Society

Theatre Historical Society

Barry Rubin Photography

A long-time symbol of Chicago's entertainment and tourism business, the Chicago Theater will continue in much the same role as depicted here in 1949. Current plans call for an office/retail/entertainment complex that incorporates the adjacent Page Brothers Building. The 3,800-seat theater will be restored to host year-round live theatrical performances. (Photos courtesy of the Chicago Theater Preservation Group, Ltd.)

the 1928 Rahway Theater for county arts functions, and the city of Anchorage, Alaska, spent $600,000 to buy easement rights to the 4th Avenue Theater, built in 1947 with 1,100 seats. In Milwaukee, a nonprofit group is raising $1.6 million to restore the 100-year-old Ward Memorial Theater, which will be renamed for native son Liberace, and owners will spend $1.4 million to convert the 1,000-seat Gayety Theater in Baltimore's burlesque district to shops.

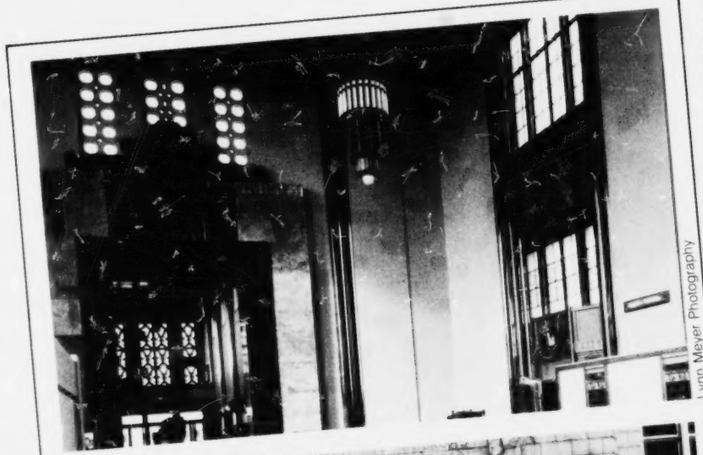
In Grand Rapids, Michigan, public outcry led to the withdrawal of plans for destruction of the 1935 Art Deco-style Easttown Theater to make way for a Kentucky Fried Chicken restaurant. After the company announced its decision to seek another site, the Easttown Community Association launched a fundraising effort to purchase the structure. In Guthrie, Oklahoma, an Urban Development Action Grant has made it possible to restore the 1901 Pollard Theater as part of a 4-building revitalization project.

Nineteen eighty-five also brought resolution of the fate of the Chicago or Plitt Theatre in Chicago, Illinois. Plitt owners had threatened demolition as early as 1983, stating that the theater lost money, but the theater appeared saved when Mayor Harold Washington concluded litigation by announcing execution of an agreement with owners of the historic property. To delay the razing, the city designated the building a landmark and the owners sued, citing the old "taking issue." The owners said they needed $32 million for their interest in the property, but, lacking that kind of money, the city proposed a land swap. Approval lost by one vote in the city council, which later agreed to lift the demolition ban. Shortly thereafter, the Cook County Circuit Court judge issued a temporary restraining order, which gave preservationists the time needed to put together a development proposal.

The owners of the Plitt agreed to sell the 3,800-seat theater to a group of investors headed by Marshall Holleb, a local attorney with rehabilitation experience. To further this effort, the city promised to contribute $2 million and sought a $2.5 million Urban Development Action Grant. The new owners agreed to spend $8 million to complete restoration of the building and the adjacent Page Brothers Building, a cast-iron-facade landmark that will become a performing arts center. On May 31, 1985, the Department of Housing and Urban Development approved the Urban Development Action Grant and a $12.5 million Section 8 loan to permit plans for acquisition and restoration of the Plitt Theater to proceed.

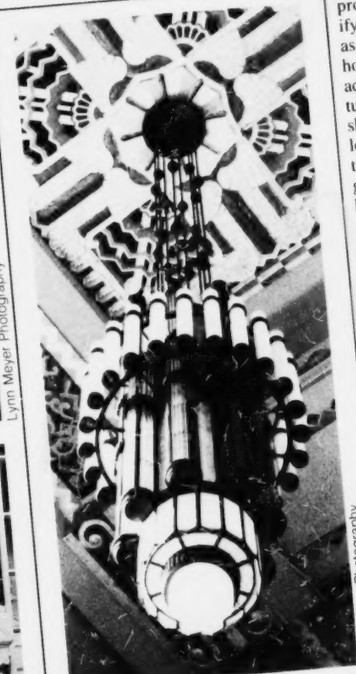
Train Stations and Roundhouses

The largest restoration accomplishment of the year was the $140 million conversion of the 1894 Union Station in St. Louis, Missouri, for hotel and retail purposes. Undertaken by the Rouse Company, the



Lynn Meyer Photography

Lynn Meyer Photography



Lynn Meyer Photography

A spectacular Art Deco structure. Omaha's Union Station was abandoned as train travel diminished in the 1960's. In 1972, Union Pacific donated the building to the city of Omaha and the Western Heritage Society was formed to restore the station and develop a permanent western history museum. The restoration of the lobby and west entrance is now complete. (Photos courtesy of Bahr Vermeer & Haecker, Architects.)

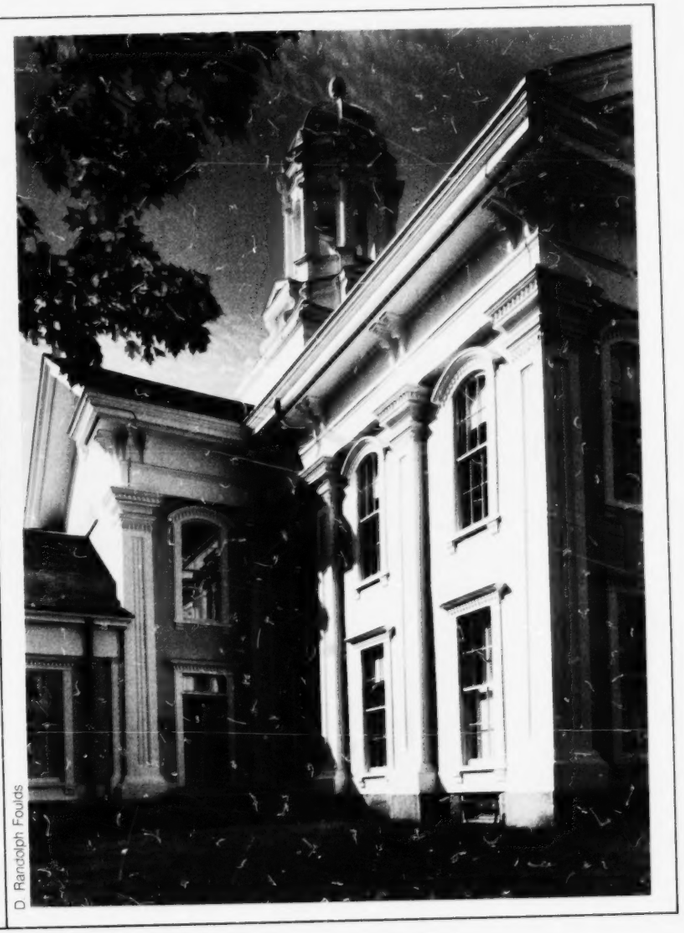
project is the most expensive ever to qualify for tax credits. Probably best described as an adaptation, the facility contains a hotel on the third and fourth floors, with additional rooms located in a new structure built beneath the trusses of the train-shed roof. Restaurants and stores in the lower level of the station extend outward to the midway and beyond. The station's grand hall, transformed into the hotel lobby, required two years of work and now forms the centerpiece of the complex.

Aided by a $1.6 million UDAG, a private developer will adaptively reuse Nashville's Union Station, which has been vacant since 1969. Although the station was slated for use as Federal office space and shops, work was never started despite a $7.1 million appropriation from the Congress in 1979. In 1983, GSA shelved the project and planned to sell the building at market rate, but a local lawsuit and protest from the Tennessee congressional delegation ended that plan. The adaptation will combine shops and restaurants with two floors of office space.

The city of Albany is assisting in adapting and reusing its Union Station, a turn-of-the-century structure vacant since 1968, as corporate headquarters for Norstar Bancorp. In Aberdeen, South Dakota, the 1906 Great Northern train depot, deactivated in 1965, has been converted to law offices.

The city of Aurora, Illinois, and the Burlington Northern Railroad are funding the $17 million restoration of the Nation's oldest roundhouse, built in 1856, where workers assembled Pullman sleeper cars and in 1868 built the Delmonico, the first American dining car. The structure will become a transportation center for commuter trains, taxis, and buses.

D. Randolph Foulds

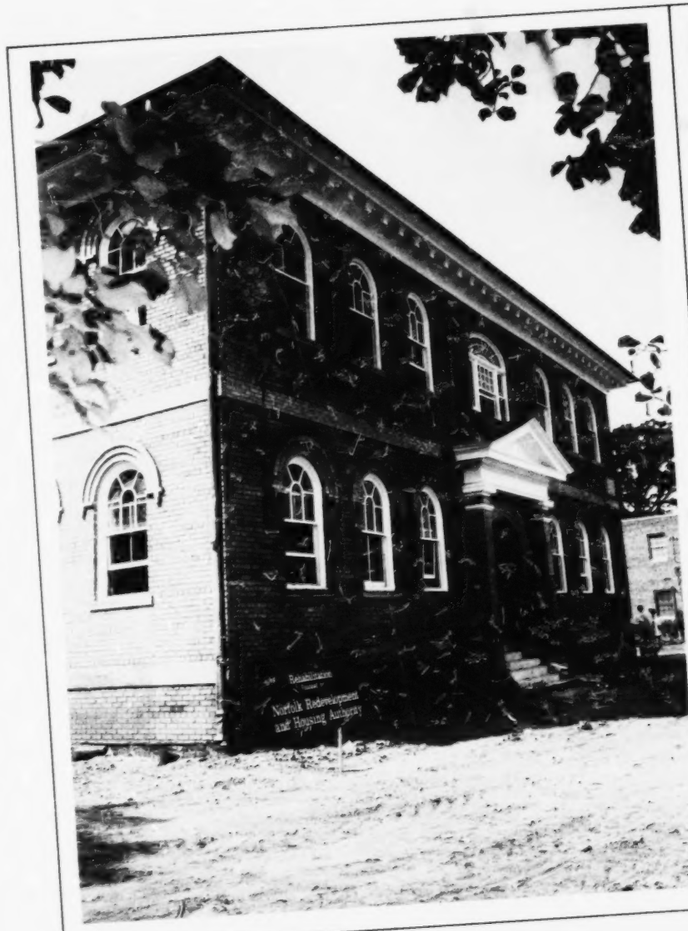


D. Randolph Foulds

Educational Institutions

The Buffalo, New York, Board of Education voted unanimously to fully restore the 1903 Lafayette High School for approximately $500,000. Designed by architects Esenwein and Johnson, the massive building is richly ornamented with terra cotta and capped by an imposing tower. In Providence, the Rhode Island School of Design is putting $17.2 million into rehabilitation projects, including adapting

Located on the Wheaton College campus in Norton, Massachusetts, Mary Lyon Hall houses both classrooms and administrative offices. The 1849 building has been renovated with respect for its past, while at the same time simplifying and improving its dark, cluttered interior. (Photos courtesy of CBT/Childs Bertman Tseckares & Casendino Inc., Architects.)



Millard Arnold

This National Register-listed building was constructed in 1904 as a public school building in Norfolk, Virginia. The Lafayette School will soon begin its second life as 18 units of market-rate rental housing financed by a $500,000 rehabilitation loan through the Norfolk Redevelopment and Housing Authority. (Photos courtesy of the Norfolk Redevelopment and Housing Authority.)

Millard Arnold

a historic block (1873–1929) for a school store and photography studio complex and repairing damage to the 1773 Market House.

In Lincoln, the University of Nebraska is restoring its oldest building (ca. 1894) for use by the College of Architecture. In Provo, Utah, the Allen Group has acquired Academy Square, originally the Brigham Young Academy, for conversion to offices.

The 1920 McKinley School in Canton, Ohio, has been converted into a nursing home, child and adult daycare center, and medical clinic, with some shops, offices, and a restaurant also sharing the building. A $925,000 Urban Development Action Grant and Federal tax credits aided in the $5 million adaptation.

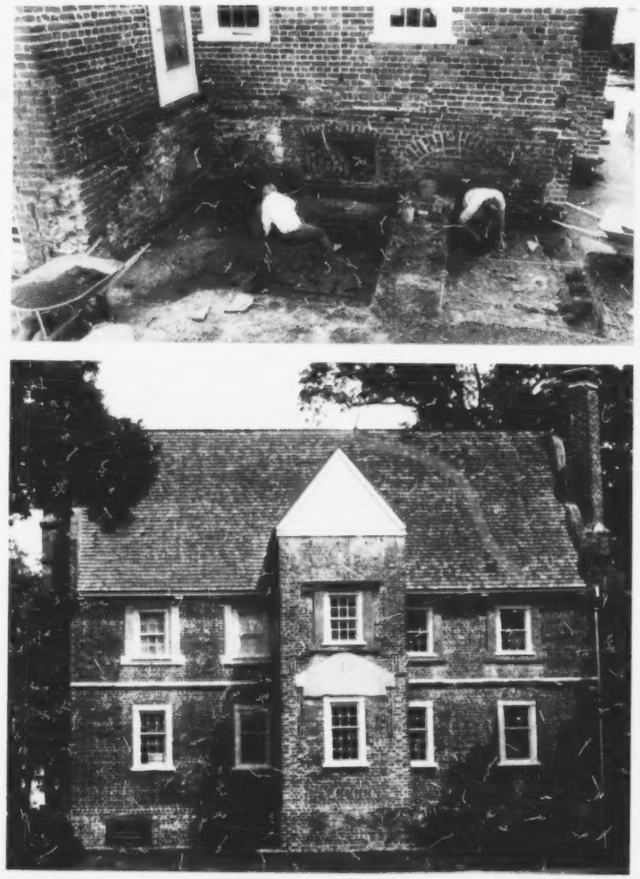
The fate of Battlement Mesa Schoolhouse in Garfield County, Colorado, remains undecided. The historic building was to be rehabilitated as a community center with housing units for senior citizens. Jobs Bill funds and money from the Piton Foundation were spent to stabilize the schoolhouse, and its exterior and part of its interior have been rehabilitated. However, because of a local dispute regarding utility hookups, the housing authority is seeking a new site for the senior citizens' housing and no longer expects to use the building as a community center.

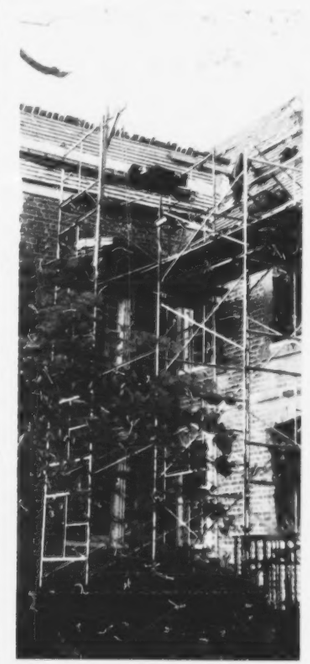
Mansions

In earlier decades, the traditional method of preserving a mansion was to acquire it and treat it as a museum, and today, an estate will occasionally become public property administered for that purpose. An example in Tallahassee is the 1820's Greek Revival mansion of Richard Keith Call, the third territorial governor of Florida and a protege of Andrew Jackson, which the State purchased for $2.3 million.

At present, however, more properties are preserved by continued practical use. For example, in December 1984, the National Trust for Historic Preservation acquired Riverbend, the 50-room mansion of industrialist and former Governor of Wisconsin Walter J. Kohler, Sr. Built in 1920–1923 and donated by the former governor's grandchildren, Riverbend will be offered for sale with preservation restrictions and the proceeds used to establish a fund for other midwestern historic preservation projects.

Unfortunately, as upkeep for mansions continues to rise because of increased costs for heating and maintenance, some owners have found the expense too great to bear, and many large homes have been demolished in recent years. One scheduled for destruction a few years ago was Guernsey Hall, built in 1852 by the prominent Philadelphia architect John Notman. Featuring a 3-story tower with arched windows, the house has a spectacular octagonal center stairway that rises 40 feet to a glazed dome. Architects have converted the mansion's 42 rooms into five condominium apartments. Not only did adaptive use save an important piece of architecture in this case, but the locality benefited because the assessed value of





The Association for the Preservation of Virginia Antiquities won a 1985 Preservation Honor Award for the manner in which it acquired, restored, and interpreted this 1665 estate, Bacon's Castle in Surrey County, Virginia. Because of repeated expansion and remodeling, the house does not represent a single era, but is a composite of more than three centuries of cultural history. (Photos courtesy of the Association for the Preservation of Virginia Antiquities.)

the property increased fourfold following conversion.

Another mansion adaptation occurred in Milwaukee, Wisconsin, where a developer began converting the 1907 Uihlein Mansion into condominiums for $1 million, promising to retain many of the architectural details, including massive oak banisters and stained-glass windows.

Industrial and Manufacturing Structures

Tivoli Denver opened in mid-August with 45 shops, 8 restaurants, and the Tivoli 12, a 12-theater moviehouse. This specialty shopping center breathes new life into the Tivoli Brewery, both a Denver Landmark and a National Register-listed property. With its National Register status, the development qualified for investment tax credits.

In Reading, Pennsylvania, a developer converted the 1887 Reading Hardware Company Building into 38 rental units as the initial part of the $5 million Riverloft project, and a similar conversion of the 1850 Old Hat Factory is underway. The White Tool Factory in Cleveland's 44-acre warehouse district now contains 33 apartments.

The Fairmount Water Works in Philadelphia is being restored as a major restaurant, waterworks museum, and hydroelectric plant. Reuse studies by the Historic American Engineering Record and the Philadelphia Water Department led to plans for rehabilitation, which will cost $15 million, $2.6 million of which will come from the city's Junior League. The Historic Albany Foundation entered into an agreement with a group of investors for the sale of the 1880's Hinckel Brewery, which they plan to convert to market-rate and moderate-income apartments. In Norwalk, Connecticut, Daseke and Company is adaptively reusing the Loth Company Building, which formerly housed a ribbon and felt hat manufacturing operation, for 132 apartments. In Columbia, South Carolina, the Mount Vernon Mill will be renovated to house the South Carolina State Museum. Private developers will do the work using investment tax credits and will then lease the building back to the State, which plans to open the museum in 1987.

Other Buildings Restored Around the Country

For two years, the first of the famous McDonald's fast food emporiums built by Ray Kroc in 1955 in Des Plaines, Illinois, has been threatened with demolition. However, the McDonald's Corporation, responding to preservation efforts, has decided to keep the structure with its golden arches and restore it as a museum featuring a 1950's kitchen and original red and white tiles.

Restoration of the winery at the Biltmore Estate in North Carolina was completed in May 1985. The wineworks was originally part of the estate's dairy, built in 1897 by George Vanderbilt. In Akron, Ohio, workers are adapting the the 1929 YMCA Building for apartments and a health club at a cost of $7.3 million. In Colorado Springs, Colorado, buildings from a turn-of-the-century dairy farm will house a community center and offices for a 1,100-unit housing project. With the aid of a $42,000 grant from the National Historic Preservation Fund and additional monies from the mayor's office, a foundation, and a housing development corporation, owners converted the 1881 McMullen House in San Francisco into a facility for mentally disabled adults.

In Lahaina, Hawaii, the 1912 Wo Hing Society Temple was restored as a museum. In Philadelphia, the 1910 Curtis Publishing Company Building, former headquarters of the "Saturday Evening Post," is being restored for $80 million. In Fort Lauderdale, Florida, the Stranahan House, a one-time Indian trading post, has been restored to its 1901 condition, furnished with period antiques, and opened for public tours. In Worcester, Massachusetts, the 1772 home of merchant Stephen Salisbury has been restored and opened as a historic house museum.

Oakland, California's former Liberty Department Store will undergo a $30 million rehabilitation for mixed commercial use. When built in 1912, its 8-story atrium was the largest of its type. The Hibiscus Garden Apartments in West Palm Beach, Florida, a 3-story 1926 building, will be restored to house 58 upgraded units. Tax credits make the $1.2 million project possible.

Owners are restoring the 1893 Levy Brothers Building in downtown Louisville, Kentucky, for offices, stores, and apartments. The First Trust and Savings of Davenport, Iowa, is restoring the 10-story First National Bank Building, built in 1924, for its offices. The 1855 Hayes Block, until recently a dilapidated eyesore on a prominent site in downtown Jamesville, Wisconsin, has been restored and reused for retail and office purposes.

In Boston, the Massachusetts Historical Commission and the Henderson Foundation provided $100,000 to rejuvenate the Old West Church, now the home of the First Methodist Religious Society, with the Society for the Preservation of New England Antiquities supervising the work. In Salt Lake City, developers using investment tax credits converted the 1915 Emmanuel Baptist Church into offices, adapted the 1891 Odd Fellows Building for offices and a restaurant, and rehabilitated the 1915 Perry's Hotel for use as a bed-and-breakfast inn.

In Rochester, New York, business organizations supported the listing of four historic districts in the National Register of Historic Places, encompassing 80 buildings and 3 bridges. Listing is part of a plan to revitalize the downtown by making buildings eligible for historic rehabilitation tax credits. So far, $63 million is committed for rehabilitation. Planned for 1986 are listings for 34 more buildings and $47 million more in rehabilitation projects.

Bridges

Maintenance and preservation of historic bridges continue to present problems. A first step in developing a program to preserve these much-used historic properties is to identify them early, thus allowing time to explore practical and innovative preservation alternatives. Colorado has recently employed an effective method of doing this. With some financial assistance from the Federal Highway Administration (FHWA), the State Highway Department of Colorado conducted a survey of bridges, identifying 64 as having historic or engineering significance. The State will submit this group for thematic listing in the National Register of Historic Places. Those of the 64 not repaired to carry traffic under FHWA's bridge replacement and rehabilitation program will probably be moved for use on walking or cycling paths.

Recently, some agencies, developers, and localities have found other creative ways of preserving bridges. In 1981, the

Council executed a Memorandum of Agreement with the Army Corps of Engineers concerning a collection of structures, including a remarkable farm complex and some historic bridges. Of special concern was the threat to an iron Waddell A-Frame bridge, one of only two such bridges left in the United States. The Corps agreed to dismantle and store the structure in hopes of finding a future use for it. In the spring of 1985, the Corps found a client, the city of Hannibal, Missouri, which will use the bridge to span Minnow Creek. By reusing the historic structure rather than building a new bridge, the city will save $100,000.

As the result of a 1984 Memorandum of Agreement, a Pratt half-hip steel truss bridge has been preserved by relocation in McGallard Falls Park in Valdese, North Carolina. FHWA marketed the bridge after providing for its replacement, and the nearby city of Valdese decided to reuse it in conjunction with restoration of the old Meytre Grist Mill.

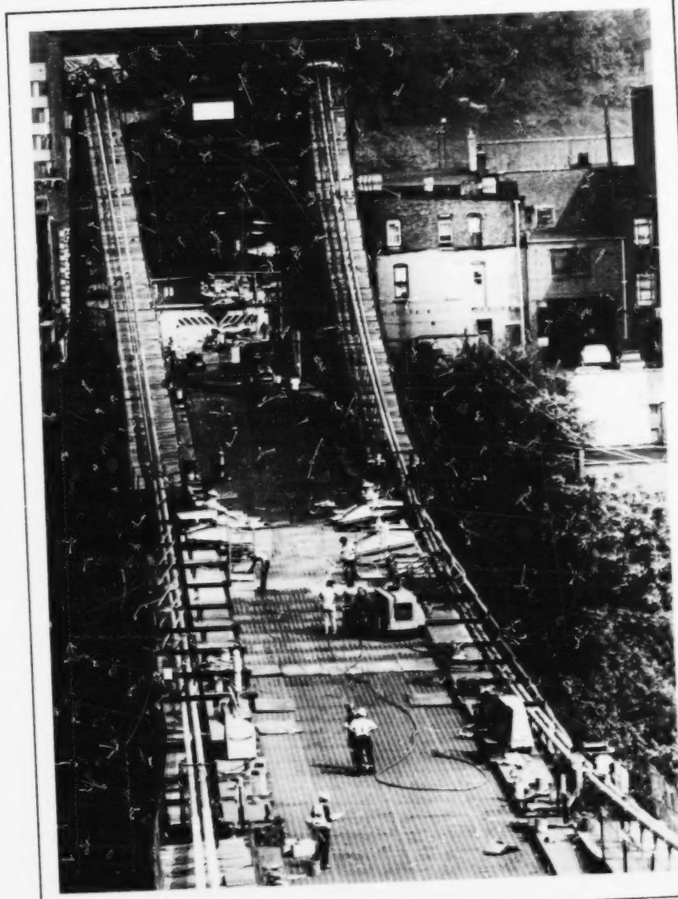
In Sand Point, Idaho, a developer purchased the condemned Cedar Street bridge, topped it with a log frame structure, and filled it with shops, restaurants, and offices, thereby creating a commercial center that has revitalized the downtown.

When citizens of Chitwood, Oregon, learned that their 1926 covered bridge could be restored for the cost of a new structure, they chose preservation. Because the bridge qualified under the U.S. Department of Transportation's repair program, FHWA paid 80 percent of the renovation, approximately $210,000. Chitwood now has the distinction of owning and using the first covered bridge in the United States to be restored with Federal monies.

The Cedar Street Bridge Public Market in Sandpoint, Idaho, is the Nation's first shopping plaza built on a bridge over water. The passive-solar-heated covered bridge not only provides a warm, comfortable atmosphere in which to view northern Idaho's spectacular scenery, but also stimulates commercial activity in an area affected by the troubled logging industry. (Photo courtesy of the Cedar Street Bridge Public Market.)

Jerry Robertson

Constructed in 1927, the original Depoe Bay Bridge was a single span designed by Conde B. McCullough. An addition was made on the seaward side of the bridge to increase its capacity in 1940. The bridge is located at the mouth of Depoe Bay in Oregon. (Photo courtesy of the Oregon Department of Transportation.)



Gary Zearoff

The Friends of Wheeling, Inc., of Wheeling, West Virginia, was a 1985 Preservation Honor Award recipient for its outstanding effort to save the Wheeling Suspension Bridge. The group made the public aware of the significance of this engineering landmark through grassroots lobbying, fundraising, and educational programs. (Photo courtesy of the Friends of Wheeling, Inc.)

Scope of Building Conservation Needs

A study recently conducted by the National Institute for the Conservation of Cultural Property (NIC) entitled "Historic Buildings: A Study on the Magnitude of Architectural Conservation Needs in America" contains the results of a survey of 437 randomly selected properties listed in the National Register. This report represents the first methodical effort to estimate the extent of preservation needs throughout the Nation. Some implications of the data follow:

- The need for additional rehabilitation is great. Nearly two-thirds of the historic buildings surveyed are below the standard condition defined by the individual evaluators, and 70 percent of the buildings rehabilitated in 1981 need further improvement.
- The number of buildings rehabilitated from 1974 to 1980 was more than 300 percent larger than the number rehabilitated from 1964 to 1973.
- Eighty-three percent of the Federal buildings surveyed are not in standard condition. This would seem to indicate that either federally owned buildings are in greater need of rehabilitation than other types of buildings, or the criteria used by the Government in defining "standard condition" are different from those of the private sector.
- Each industrial building surveyed needs an average rehabilitation budget of nearly $2.5 million, nearly 10 times that required for a residence. Industrial buildings have special rehabilitation requirements, probably because they are generally larger than other kinds of buildings and serve different functions.
- Rehabilitation is costlier in densely populated areas, both because they usually contain a higher percentage of industrial, government, and vacant buildings and because labor and materials are often more expensive. Densely populated States should therefore receive more preservation funding than less densely populated States.

The NIC report demonstrates the necessity for careful study of rehabilitation needs, institution of a special program to arrest the deterioration of historic properties, and development of a system for their proper maintenance.

Identification, Preservation, and Salvage of Maritime Resources

Interest in shipwrecks has never been greater, and surveys to locate them are underway in the Great Lakes and most offshore waters. National Park Service underwater archeologists have begun the long process of documenting all shipwrecks in the waters under that bureau's jurisdiction, and Historic Site Research of Princeton recently surveyed shipwrecks off Bayonne, New Jersey, for the Army Corps of Engineers. Most are the remains of 19th- and early-20th-century cargo vessels, but a few are "Downeasters,"

sailing ships that once were the pride of Maine's shipbuilding industry. The Corps plans to remove these relics.

There are numerous examples of salvage of historic shipwrecks and marine artifacts. For instance, the wreckage of the 173-foot Union troop transport *Maple Leaf* was discovered in the St. John's River near Switzerland, Florida. Sunk after hitting a Confederate mine, the ship carried camp equipment and baggage of the 112th and 169th New York Regiments and the 13th Indiana Regiment and served as the brigade headquarters of General Robert S. Foster and Brigadier General Ames. Sampling of the cargo is now underway.

The Federal Government, the State of South Carolina, and amateur archeologists have nearly completed excavation of the remains of the *Boston*, a 574-ton Union sidewheeler that hit a submerged sandbar and went down in the Ashepoo River on May 25, 1864, with 300 infantrymen and 90 cavalrymen aboard. Divers have recovered thousands of artifacts, including ornate sword handles, foreign coins, pocketknives, curry combs, and hardtack biscuits charred by fire.

In Delaware, divers located the wreck of the 18th-century British vessel *DeBraak*, one of the most exciting finds of recent years and one of the biggest discoveries ever of undamaged marine artifacts. The commercial salvors who discovered it are excavating the *DeBraak* under direction of the State, which, as required by Delaware law, will take 25 percent of recovered materials. The archeological community and other interested parties are watching this job closely to determine whether commercial and scientific interests and the public good can all be served at the same time.

Professional archeologists have been making increased use of volunteer divers to examine sunken vessels. At Isle Royale, the National Park Service used them to help develop an underwater trail to interpret the 1890 wreck of the passenger-steamer *Monarch* and to plot the remains of 10 other historic vessels now listed in the National Register of Historic Places. At Apostle Islands National Lakeshore, also on Lake Superior, volunteers performed most of the research and recording of the schooner *Noque Bay* and the steamer *R.G. Stewart*, both dating from the 19th century. Volunteers in Texas are working under a State-approved archeologist to excavate a Civil War blockade runner in Galveston and an 1880's steamboat in Cado Lake.

George E. Foote

Educating inner-city students about their maritime heritage, the Sound School offers a unique high school program. Courses relate to the marine environment, literature of the sea, maritime history, social studies, and mathematics. Each student spends one day a week in the boat shop applying his or her mathematics and marine skills to the restoration of old boats, building and repairing of small boats, and sailmaking and repair. The Sound School was a recipient of a 1985 Preservation Honor Award. (Photo courtesy of the Sound School.)

Richard Frear

The Lifeboat Rescue Station at Point Reyes National Seashore is an important maritime resource to be preserved under the National Park Service leasing program. The Park Service is looking for a tenant for adaptive use oriented toward marine sciences. (Photo courtesy of the National Park Service.)

The shipwreck of the ironclad warship, U.S.S. *Monitor*, poses problems for the National Oceanic and Atmospheric Administration, which wishes to study and preserve it after 123 years on the ocean floor. Historic photos such as this one of the crew of the *Monitor* cooking a meal on deck are valuable to researchers. (Photo courtesy of the Library of Congress.)

A brass marine lantern with a red lens, possibly the U.S.S. *Monitor's* distress signal, is studied closely by a NOAA Corps Officer.

The sailing ship *Balclutha* was recently named a National Historic Landmark. Built in Glasglow, Scotland, in 1886, *Balclutha* is the last square-rigged vessel afloat in San Francisco Bay and one of two that remain afloat on the Pacific Coast. *Balclutha* served in the grain trade, lumber industry, and in fishery operations. In the 1950's, she was extensively refitted for use as a stationary museum ship by the San Francisco Maritime Museum. (Photo courtesy of the National Maritime Museum, San Francisco.)

A survey of shipwrecks conducted by the State of Indiana in 1984 revealed 44 sunken vessels along a quarter-mile strip between Michigan City and Whiting. Among those identified were the 1872 *Musketon* and the *Marshall*, shipwrecked in 1911. Divers made planimetric drawings of the remains.

The National Oceanic and Atmospheric Administration (NOAA) funded an investigation of the wreck of the U.S.S. *Monitor* in August. Now protected under NOAA's marine sanctuary program, the Union ironclad *Monitor* engaged the Confederate ironclad *Merrimac* on March 9, 1862, in a battle that marked the end of the era of wooden warships. Discovered in 1973 under 220 feet of water 16 miles from Cape Hatteras, North Carolina, the shipwreck poses problems for those who wish to study and preserve it because of its deteriorated condition after 123 years on the ocean floor. NOAA will provide additional funds for technical services, but will require that a large percentage of funds come from the private sector.

Campaign to Save the U.S.S. Potomac

A national campaign has been initiated to raise $2.5 million to restore the U.S.S. *Potomac*, once President Franklin D. Roosevelt's official yacht. Plans call for the ship to be moored at the Port of Oakland, California, which purchased the vessel in 1981. The U.S.S. *Potomac* served the President not only as a recreational boat, but also as a meeting place where Roosevelt discussed Depression-era problems with advisors. Roosevelt also used the ship to travel the first leg of his secret trip to meet Winston Churchill in August 1941. Heading the campaign to restore the U.S.S. *Potomac* are Lane Kirkland, President of the AFL-CIO, and Cornell Maier, Chairman of Kaiser Aluminum and Chemical Corporation.

National Trust Maritime Program

The Maritime Program of the National Trust for Historic Preservation undertook a survey of organizations devoted to preserving maritime artifacts and has published the results in the "Directory of Maritime Heritage Resources." The volume identifies more than 500 organizations and represents a first step in an effort to create and mobilize a network to influence policy and implement common goals. The Trust has also initiated a survey of the Nation's endangered maritime resources, which it hopes will make clear the great involvement and investment in maritime heritage and lead to a demand for a national cultural policy for maritime preservation.

Jack Morehead

Jack Morehead

Larry Murphy

The NPS Submerged Cultural Resources Unit makes use of underwater video cameras for baseline studies to monitor deterioration from natural causes or vandalism, for documentation, and for interpretive programs to educate the public. Here, the site of an 18th-century shipwreck at Fort Jefferson National Monument, Florida, is recorded both in color video and by means of underwater sketching. (Photos courtesy of the National Park Service.)

Legislation to Protect Historic Shipwrecks Proposed

There is no doubt that many historic shipwrecks have been destroyed by treasure hunters in recent times, especially the 18th-century Spanish fleets off the Florida coast. Although 26 States have enacted legislation to protect historic shipwrecks, several recent court decisions have voided the application of State laws when treasure salvors have claimed salvage rights. In an attempt to resolve the problem, Representative Walter B. Jones (D) of North Carolina introduced legislation in 1983 to give the States title to historic wrecks within their waters, consequently permitting them to control exploration. Senator Lloyd Bentsen (D) of Texas introduced a similar bill in the Senate. On September 10, 1984, the House passed the Abandoned Shipwreck Act, H.R. 3194, which would "secure for the present and future benefit of the American people the protection of historic shipwrecks and structures on the seabed and in the subsoil of the lands beneath navigable waters within the boundaries of the respective States." However, Senator Paula Hawkins (R) of Florida blocked consideration of the Senate version in committee, and the bill died.

On January 3, 1985, Representative Charles E. Bennett (D) of Florida introduced H.R. 25, the Abandoned Shipwreck Act of 1985, which clearly establishes State title to abandoned shipwrecks so that protective laws can be applied without question. The bill also instructs the Advisory Council on Historic Preservation to develop guidelines for State legislation to protect historic shipwrecks. By the end of the year, no action had been taken on the bill, but hearings were scheduled for October 1985.

Archeology

Pothunters Prosecuted

The Archeological Resources Protection Act amended the Antiquities Act of 1906 to increase penalties for first-time offenders from a $500 fine and six months in jail to a $10,000 fine and one year in jail. The act also provides for forfeiture of vehicles and equipment used in perpetrating the crime and for payment of a reward for information leading to conviction. Previous convictions under the statute have been for disturbing prehistoric Indian sites in the West.

Conviction of three men for illegally searching for Civil War artifacts in Richmond National Battlefield Park in Virginia marked the first prosecution of violators on Federal lands in the eastern United States. Arrested on October 10, 1984, the trio had dug more than 60 holes in the historic battlefield, unearthing an Enfield bayonet, miniballs, grapeshot, and other items. The Federal judge sentenced the men to one year in jail, suspending all but two weeks for two of the men and requiring the third to serve six months behind bars. The men also forfeited an estimated $1,100 worth of metal-detecting equipment.

In the Midwest, the Shawnee National Forest staff worked with an Illinois State attorney to convict a vandal who, in his illegal digging for artifacts, left human remains scattered across the Fitzgibbon site. While the Forest Service was instrumental in prosecution, it also coordinated its efforts with an American Indian group concerned about careless treatment of human remains. The Council helped to mediate a successful conclusion to the case and also worked to ensure that the Forest Service's compliance responsibilities were completed. Damage to the site has been repaired in a way that should deter any future vandalism.

Archeological Collection Management Project

The National Park Service has developed a system for pulling together archeological and associated documentary materials from earlier excavations to make them accessible to park personnel and professional archeologists for research and interpretive purposes. Called the Archeological Collection Management Project (ACMP), the effort is directed toward inventorying collections originating in the 1960's and early 1970's as the result of contract work done by universities and museums.

Using a provenience-based catalog system, ACMP reanalyzes collections using excavators' reports, maps, and field notes. Then it computerizes the data and prepares the collections for long-term storage. So far, the National Park Service has processed collections for Salem Maritime National Historic Site, Morristown National Historic Site, and Great Island Tavern Site at the Cape Cod National Seashore.

National Archeological Data Base Developed

The National Park Service is also developing a National Computerized Archeological Database to improve its ability to oversee and coordinate Federal archeological programs, assist in Federal agency project planning, and avoid duplication of effort. A pilot project is underway in the NPS Southwest Region, with nationwide implementation scheduled to begin in the summer. The data base will include information on archeological reports, Federal archeological projects, and other data bases in which detailed material can be found.

Archeological Projects of Special Interest

National interest has recently been focused on Custer Battlefield because of archeological investigations taking place there. Assessment of artifacts found at Custer Battlefield in 1984 reveal that Indian forces were not as poorly armed as had been believed. Shell cases found in the archeological survey last year show that warriors possessed 25 different types of firearms, and 60 of the 117 firearms unearthed at the site of the battle were the most modern lever-action rifles available, such as Winchesters and Henrys. Officially released in April 1985, a National Park Service report concluded that, taking all firearms into account,

Custer and his men were outgunned, even if not in range or stopping power then certainly in sheer firepower. With the relative lack of cover available to Custer and dispersed deployment of the command against the superior number of Indians, at least half of whom were armed and many with repeating firearms, then the reasons for the outcome of the battle can no longer be significantly debated.

Researchers were aided in their analysis of battle movements by the Nebraska State Patrol Criminalistic Laboratory, which paired up bullets with cartridges and determined which cartridges were fired from the same gun. Using these matching techniques, the researchers were able to reconstruct where a particular

Kathryn E. Sargeant

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Helene Warren, ceramic expert, discusses the types of ceramics found at the Chamisal site with a group of school children. The ceramics give important information on trade relationships between the Chamisal Pueblo and other villages in the region.

Kathryn Sargeant, director of the Chamisal Archaeological Project, measures a fireplace used ca. 1350 A.D. A clay collar was placed around the edge and small upright rocks placed in the corners to keep the cooking pot from tipping.

The Chamisal Archaeological Site is a Pueblo IV Indian village site located in the North Valley of Albuquerque, New Mexico. Eight village levels were excavated, beneath which the remains of an archaic campsite dating to 720 B.C. were discovered. (Photos courtesy of the Chamisal Archaeological Project.)

The Oak Creek Pueblo is one of two important Sinaqua ruins being acquired for preservation by the Archaeological Conservancy, winner of a 1985 Preservation Honor Award. Located in the Verde Valley of central Arizona, the ruin dates to A.D. 1200-1450. The Sinaqua are thought to be ancestors of the modern Hopi. (Photo courtesy of the Archaeological Conservancy.)

soldier or warrior fired from and where his missile went. Interestingly, the analysis showed that the weapons of troopers killed early in the battle were then trained on remaining soldiers. Historians were able to locate six places from which warriors took cover and fired at Custer's surrounded command, supporting the theory that the Sioux and Cheyenne dispatched most of the troopers from long distance, not in a wild charge.

The Custer Battlefield Museum Historical Association contributed $16,000 to permit the National Park Service to continue archeological work on the site of Custer's battle. An important part of the survey was reconnaissance of the Reno-Benteen battle site, where detached units from Custer's original command still survived after two days of fighting.

As it turned out, the Council may have set a record in clearing this archeological project for execution. Just as the project was about to begin, the NPS realized that in proposing to fund the work, it had neglected to comply with Section 106. The Council quickly arranged for an on-site inspection. Timing was critical because a large volunteer crew was assembling from all over the world to take part in the project, which was scheduled to begin in a few days. The National Park Service, the Montana State Historic Preservation Officer, and the Council all agreed that planning for a project of this kind should be impeccable, given the NPS's leadership role in historic preservation and the prominence of the site. Adjustments had to be made, but there was little time in which to make them.

In the end, a Memorandum of Agreement was drafted providing for phased research, concentrating first on areas where the excavations would present no problems and then moving into other areas after further development of the project design. Using NPS and Council automatic data processing systems and telephonic modes, the Council was able to complete circulation and ratification of the agreement between 11 a.m. and 2 p.m. on May 17, 1985.

In addition to the work at Custer Battlefield National Monument, two other archeological projects generated special interest in 1985. In Annapolis, the University of Maryland is conducting a citywide archeological program. Recent excavations at the Calvert House, now an inn but once the home of a governor of Maryland, have yielded 250,000 artifacts dating from 1690 to 1780, including buttons, toys, fragments of clothing, bottles, and ceramic material. Also, the NPS has been conducting an archeological survey of Cape Cod National Seashore since 1979 to help its staff better interpret, protect, and manage park resources. During the last two seasons, researchers have studied such things as prehistoric diet, the process of site formation, and evolving relationships between cultures and the marine environment. The results of the survey are being published in the NPS's "Cultural Resources Management Series."

Federal Activities

Every year, certain innovations, modifications, and changes occur that affect the historic preservation movement, often advancing its goals and objectives and occasionally raising barriers or restricting its growth. More precisely, defining missions, publishing guidelines, seeking new ways to promote preservation, refining planning techniques, strengthening protective statutes, and creating new sources of funding are some of the conditions that stimulate positive developments at all levels of government and in the private sector. Many of these positive activities occurred at the Federal level in 1985.

Urban Development Action Grants Fund Rehabilitation Projects

At the beginning of the fiscal year, the Department of Housing and Urban Development announced approval of Urban Development Action Grants (UDAG's) for 70 projects in 46 cities. Among them were grants for rehabilitation and reuse of 13 historic buildings, including a $5 million grant to the city of Baltimore that will assist in the restoration of the Lord Baltimore Hotel. Other major properties undergoing rehabilitation are two 19th-century hotels in San Diego, California; Union Station in Albany, New York; and an anchor and chain storage building in Boston's Charlestown Navy Yard, a National Historic Landmark.

UDAG's for small cities usually support new construction of small-scale industrial facilities, but occasionally funds finance rehabilitation. In the round of grants announced on November 7, 1984, five of 61 projects involved restoration

and reuse of existing structures. One such project was the conversion of a historic school building in Swissvale, Pennsylvania, into 18 subsidized rental apartments. The school board had intended to sell the property, which had been vacant for a decade, for its land value, but recent listing in the National Register of Historic Places made reuse of the structure feasible because of the 25 percent tax credit.

Almost half of the 52 projects given preliminary approval in the last 1985 round of UDAG selections were ones involving restoration and reuse of historic properties, including adaptive use of a number of vacated schools similar to the Swissvale project just described. Two school buildings in Boston will become 106 new units of affordable housing. In Camden, New Jersey, a former high school will house a health care facility for the elderly, and in Atlantic City, conversion of a school will create a 194-room hotel.

Christina Schmidlapp

Because this Classical Revival school in Swissvale, Pennsylvania, is listed in the National Register of Historic Places, it is eligible for the 25% investment tax credit, in addition to UDAG and CDBG funding. The school will be renamed Longfellow Dwellings, after the original school name, once the conversion into apartments is complete. (Photo courtesy of Landmarks Design Associates.)

National Park Service

The National Park Service drew a great deal of attention in 1985 as a result of the change in its leadership with the appointment of William Penn Mott as director, release of new planning objectives, efforts to develop proposed Section 110 guidelines, leasing arrangements for unused NPS property, and studies of its activities.

NPS Strategic Goals for Cultural Resources

During fiscal year 1985, the National Park Service began to implement "Strategic Goals for Cultural Resources," which had been issued in the summer of 1984 to guide its historic preservation activities. Among the goals are:

- Expand use of the private economy to preserve cultural resources in the NPS. The document noted that the new authority to lease historic properties owned by the NPS, especially when coupled with the historic preservation tax incentives program, provides an unprecedented opportunity to carry out restoration and rehabilitation projects.
- Document the primary historic and prehistoric structures of the National Park System.
- Increase HABS/HAER priority for National Historic Landmarks and primary park historic structures.
- Provide assistance to Federal agencies in the implementation of their archeological responsibilities.
- Identify and protect National Historic Landmarks. The document reported that the National Historic Landmark (NHL) program is being revived as an alternative means of identifying and protecting nationally significant properties without bringing them into the National Park System and that an orderly study of broad themes of American history and prehistory would be the basic method of identifying and designating NHL's.

Section 110 Guidelines

The National Park Service renewed its efforts to develop guidelines for Federal agency responsibilities under Section 110 of the National Historic Preservation Act. As required by Section 110, the NPS initiated consultation with the Council at an early stage in drafting the guidelines. Added to the act in 1980, Section 110 primarily sets forth Federal agency responsibilities in managing historic properties, but also includes such requirements as designation of agency historic preservation officers, conduct of agency programs in accordance with the purposes of the act, and recording of historic properties lost through Federal action. Publication of the final guidelines is anticipated in fiscal year 1986.

Leasing Historic Buildings

In 1980, the Congress passed the Historic Buildings Leasing Act to encourage Federal agencies to rent their unused historic properties. Since that time, the National Park Service has leased 40 historic sites, mostly farmland, and one building, the Piper House at Antietam Battlefield, which functions as a bed-and-breakfast inn. On August 7, 1985, the NPS advertised the availability for leasing of five bathhouses in Hot Springs National Park. Listed in the National Register as part of Bathhouse Row Historic District, the properties feature marble, tile, and polished brass decoration. As part of the leasing arrangement, tenants will rehabilitate the buildings for compatible use.

A number of other buildings are or will be available for leasing soon, including Gold Rush storefronts in Skagway, Alaska; seacoast defense sites around San Francisco Harbor; and airplane hangars at Floyd Bennett Field in New York City. To date, 124 properties have been identified in national parks and other Federal lands. The NPS must review and approve proposals before properties can be leased. Requirements may include restoration by the lessee, for which investment tax credits may be available.

National Park System Studied

Conservation Foundation Report. In 1972, at the request of the Secretary of the Interior, the Conservation Foundation prepared "National Parks for the Future," a list of suggestions for improving the management of national parks. This publication marked the centennial of the establishment of Yellowstone, the first national park. In 1985, the Conservation Foundation took another look at the park system on its own and published "National Parks for a New Generation: Visions, Realities, Prospects," a study speculating on the future course of the national park system in view of the Nation's changing economic and social priorities.

According to the report, the 334 units of the National Park System capture the national experience, with spectacular

James Thompson

To date, the National Park Service has leased 40 historic sites, most of them farmland such as that containing the John Day Fossil Beds, Cant Ranch, New Mexico.

William D. Brookover

A National Park Service lease is under negotiation for the use of Bond House, in Independence National Historical Park, as a bed-and-breakfast inn. (Photo courtesy of Independence National Historical Park.)

The Kennedy-Supplee Mansion at Valley Forge National Historical Park, Pennsylvania, is one of 124 properties identified in national parks and other Federal lands available for leasing. As part of the leasing arrangements, tenants may rehabilitate the buildings for a compatible use. (Photos courtesy of the National Park Service.)

mountains, primitive forests, and other scenic wonders; historic and cultural monuments, Indian antiquities, battlefields, and homes of the revered and famous; and seashores, scenic rivers, and other recreational areas that host millions each year. Increased visitation and encroaching urban energy development have led to the deterioration of some visitor facilities; the loss of vegetation, soil, and wildlife; and the spread of pollution, among other problems.

The report calls for a 10-year program to provide funds to arrest deterioration of properties and protect endangered park

resources. It also suggests policies for managing concessions and other private operations within parks. In addition, it advocates new legislation containing measures to control threats on Federal lands adjacent to National Park areas similar to those found in the National Parks Protection Act, which was passed by the House in both 1982 and 1983 but was never considered in the Senate. The report notes opportunities to address the backlog of unacquired parkland and the need for unprecedented reliance on partnerships between the National Park Service and State, local, and private groups.

Finally, the report recommends that the NPS pay special attention to historic and cultural resources within the National Park System, noting that 52 percent of the 334 units administered by the agency fall into these categories.

National Conference of State Historic Preservation Officers White Paper. The National Register of Historic Places continues to generate discussion and assessment by preservationists, government officials, developers, neighborhood groups, and historic property owners. The latest critique comes from the National Conference of State Historic Preservation Officers (NCSHPO), which issued a white paper early in 1985. Noting that some feel that the Register has been diluted by the listing of sites and buildings of dubious significance, the paper affirms the importance of recognizing properties that convey the meaning of day-to-day life, as well as commemorating those that reflect outstanding achievements. While reporting that those interested in obtaining investment tax credits for rehabilitation sometimes pressure State Historic Preservation Officers to declare inferior properties eligible for National Register listing, the paper states that high standards do prevail. Finally, the paper concludes that Section 106 review works, usually ending in positive outcomes and creative solutions, especially when review takes place early in the planning and decisionmaking process.

The Legislative Scene: Congress and Historic Preservation

During fiscal year 1985, the Congress considered a number of bills affecting the study of history and the preservation of historic and cultural property.

National Archives Made Independent

An action most welcome to the scholarly community was the signing by President Reagan in October 1984 of the National Archives and Records Administration Act of 1984 (P.L. 98-497). This legislation made the National Archives and Records Service an independent agency of the Federal Government as of April 1, 1985, and severs its 35-year-old ties with the General Services Administration.

Bills for Protection of Individual Sites Considered

The Archeological Conservancy in Santa Fe, New Mexico, proposed to donate an untouched Anasazi village site to the National Park Service. Located near the border of the Navajo reservation in northern Arizona, the 40-acre parcel contains a multistory village dating from about A.D. 900 to 1100, with an estimated 30 to 50 rooms and a 60-foot circular kiva, or dance ring. The House passed legislation accepting the site in March 1985, and action is pending in the Senate. Also, there is legislation in the Congress, supported by the Oregon-California Association, to make the California portion of the California-Oregon Trail a National Historic Trail, just as the Oregon section is.

Olmsted Heritage Landscape Act of 1985 Introduced

On August 6, 1984, the House passed legislation to establish a program to identify, commemorate, and preserve the historic landscapes designed by Frederick Law Olmsted and his sons and associates. Called the father of American landscape architecture, Olmsted probably did more than any other person of his time to humanize America's rapidly growing urban environment during the 19th century. Olmsted is best known as the co-designer of New York City's Central Park, but his firm's legacy includes over 2,000 currently identified landscapes in 37 States and the District of Columbia. The House bill, however, did not receive consideration in the Senate.

Representative John F. Seiberling (D) of Ohio introduced similar legislation in the new Congress on January 3, 1985. H.R. 37 directs the Secretary of the Interior to coordinate the inventory of Olmsted sites, provide technical assistance, and establish standards for the preservation of these historic landscapes. In addition, an advisory committee would assist the Advisory Council on Historic Preservation and other agencies in carrying out their responsibilities to protect Olmsted landscapes. The bill encourages participation by other public and private entities, and it includes specific authorization for appropriations of $2.5 million for fiscal year 1986. Senator Daniel P. Moynihan (D) of New York introduced an identical measure in the Senate, S. 194.

Legislation Affecting Historic Bridges

Preservationists estimate that as many as 2,000 of the 546,000 bridges in the United States may be historic. The National Register now lists 1,000 historic bridges. To help protect this engineering heritage, Senator Robert Stafford (R) of Vermont introduced S. 391, which directs States to complete or update their surveys and authorizes the Department of Transportation to use Federal bridge funds for "reasonable" outlays to ensure preservation of historic bridges that are retained as part of the highway system. States could also use funds set aside for demolition to reuse historic bridges for other purposes, although in such cases States, local governments, or private groups would have to assume legal and fiscal responsibility.

Preservationists were disappointed when the Congress rushed through a highway bill, the Interstate Cost Estimate Act, freezing $7 billion in road-building money for the States. As the legislation was considered, the provision allowing States to trade in demolition money to rehabilitate historic bridges was not considered. President Reagan signed the bill on March 13.

Representatives James Howard (D) of New Jersey, Chairman of the House Public Works and Transportation Committee, and Glen Anderson (D) of California, Chairman of the Public Works Subcommittee on Surface Transportation, along with 40 bipartisan cosponsors, introduced H.R. 3129, the Surface and Uniform Relo-

cation Assistance Act of 1985, to extend the Federal-aid highway and public transportation programs for five years. Title I of the bill calls for a ceiling of $13.6 billion in 1986, rising to $16.6 billion by 1990. The proposal would continue to fund the bridge program at $1.995 billion and establishes a National Bridge Inspection Program. It also calls for development of national bridge inspection standards, training programs, and certification of bridge inspectors. Action on the legislation is anticipated in 1986.

General Legislation Affecting Historic Preservation

During the year, there are usually a number of bills that, while not specifically concerned with preservation, may have degrees of both positive and negative impact upon same. Those bills calling for the repair of the Nation's infrastructure have been of special interest this year. If preservation values are considered during planning and decisionmaking as these programs develop, they could be of great benefit, for they could then be used to repair and restore many of our important civil works and engineering properties.

Two bills dealing with the problem of maintaining the Nation's infrastructure received Congressional attention. H.R. 377, introduced by Representative James Oberstar (D) of Minnesota, proposed an appropriation of $2 billion a year for five years in 50/50 matching grants to State and local governments for construction or repair of roads, bridges, water treatment and supply facilities, and other structures. A second bill, H.R. 1776, introduced by Public Works Committee Chairman James Howard (D) of New Jersey, called for establishment of a revolving loan fund of $3 billion a year for 10 years for similar purposes. Several months of hearings in Washington and in the field on H.R. 1776 and infrastructure issues were planned, with markup of the bill to occur in fiscal year 1986.

State Programs

Preservationists have long been aware of the significant contributions of the States to the national historic preservation program. A report recently released by the National Conference of State Historic Preservation Officers indicates that in fiscal year 1984, the States employed 833 professionals who screened 39,000 Federal actions that affect historic resources and processed thousands of applications for developers to receive tax benefits for rehabilitating historic buildings.

National Governors Association Amends Preservation Policy

State support of historic preservation remained strong during fiscal year 1985. Adopting an amendment to its preservation policy at its annual meeting, the National Governors Association gave clear evidence of State commitment to historic preservation. The text of this amendment reads:

> The Federal Government should continue to support and provide assistance to State heritage programs that identify and develop management plans for the States' significant cultural and natural resources. A coordinated nationwide network of State heritage inventory programs will promote intelligent development while conserving our cultural and natural heritage. In addition, the Federal Government should ensure that its own undertakings are planned and carried out in close consultation with State governments so as to identify and try to avoid harmful impacts to heritage resources. The Federal-State partnership approach embodied in the National Historic Preservation Act and operations of the Advisory Council on Historic Preservation are successful examples of programs which are efficient and which reduce both the loss of resources and conflict to an admirable degree.

State Legislation

Since 1981, the California Heritage Task Force has been looking at State laws and activities that affect historic properties, archeological sites, and folklore programs. In 1984, the task force issued a 122-page report, and since that time a number of reforms have been enacted, including mandatory use of the State's historic building code, automatic reevaluation of donations of conservation easements for tax purposes, expanded eligibility for funding rehabilitation projects through use of industrial development bonds, a study of how to improve California's archival program, and initiation of a State preservation grant program.

The Maryland Legislature passed S.B. 744, directing the Maryland Historical Trust to advise and assist units of government and the private sector in protecting, preserving, and enhancing historic properties and to adopt regulations to carry out its responsibilities. The statute also establishes a Maryland Advisory Council on Historic Preservation and creates a Historic Marker Program fund. Connecticut has a new law to deter theft of historic gravestones and vandalism to historic cemeteries, with a penalty of five years in prison or a $5,000 fine.

The Indiana General Assembly passed legislation creating a State Main Street program within its Department of Commerce. The statute provides for an appropriation of $290,000: $175,000 for fiscal year 1985-86 and $115,000 for fiscal year 1986-87. Five communities will serve as demonstration areas during the first year, with workshops and technical assistance available to other towns and cities. The goals of the five demonstration communities are to foster reinvestment of $15 million in private funds, implement 100 facade restorations, achieve a net gain of 60 businesses, and create 300 new permanent jobs.

Local Government Preservation Activity

City governments increased their preservation activities throughout the Nation in 1985. These efforts took place in response to examples of local revitalization apparent in other communities engaged in rehabilitation and restoration of downtowns and older neighborhoods; benefits such as Federal investment tax credits that are available to those municipalities having recognized historic districts and properties; and the promise of direct participation in historic preservation activities authorized by the National Historic Preservation Act through certification by the Department of the Interior. Jurisdictions accomplished preservation through a va-

riety of methods, a sampling of which follows.

On November 6, 1984, the City Council of New Orleans established, by a 6-1 vote, the Canal Street Historic District, thereby protecting its present main street, one of the world's widest avenues. The city of Portland, Maine, set aside $100,000 for a fund to assist owners in removing plastic signs and aluminum siding from historic buildings. The city of Aberdeen, South Dakota, provided $5,000 to help restore the 1915 Wylie Park Pavilion, and the Los Angeles Community Redevelopment Agency sold $9.3 million worth of bonds to help finance the restoration of the 1929 Garfield Building, an Art Deco complex.

Four cities in Montana have employed community preservation officers to identify properties eligible for the National Register of Historic Places, provide technical and financial information on preservation to local businesses and officials, and develop local ordinances to protect historic and cultural resources. Federal Historic Preservation Survey and Planning Funds and matching monies from local governments make the program possible.

In Fort Wayne, Indiana, the Department of Community Development and Planning is using grants to encourage rehabilitation of the facades of downtown commercial buildings in specified areas. Using Community Development Block Grant funds, the city will grant up to $15,000 for buildings in the target area that have been declared eligible for the National Register. To obtain the grant, an owner must give a facade easement to ARCH, Inc., a local preservation organization, or agree to have the property designated a landmark under the city's preservation ordinance.

The Louisville, Kentucky, Board of Aldermen and the Jefferson County Fiscal Court have established a program to provide a moratorium on assessments for certain kinds of properties. Rehabilitation of a residential or commercial structure that is 25 or more years old and is located in a designated target area qualifies if costs exceed 10 percent of the value of the improvements. Such a building that is not in a designated target area can qualify when costs exceed 25 percent of the value of the improvements. Qualifying properties are exempt from reassessment for 5 years.

In what may have been one of the most significant local protective actions of the year, the City Council of Philadelphia, in a 16-0 vote, strengthened a 29-year-old historic preservation ordinance to give its Historical Commission increased power to create historic districts and deny requests for demolition. Changed to ensure that the city would qualify for local government certification under NHPA, the ordinance discourages social displacement and requires recording of those historic structures that the city agrees can be demolished.

The National Park Service published regulations in 1984 governing the certified local government (CLG) program established by the National Historic Preservation Act amendments of 1980, and 1985 saw this program develop substantially. By year's end, 124 local governments had been certified to participate in the program. CLG activity varied considerably from State to State. States with longstanding active programs of coordination with local governments, such as Georgia and Kentucky, had integrated the CLG program well into their ongoing operations, while some other States experienced more difficulty. Some States, such as Utah, which imposed minimal standards on local governments as prerequisites for certification, had certified large numbers of programs, while those imposing more strict standards had certified few or no programs. Some, if not most, of this variability appears to result from differences in the advice given to States by different NPS regional offices. The Rocky Mountain Region, for example, is much less insistent than the Mid-Atlantic Region about requiring CLG's to establish historic preservation zoning ordinances.

The Council has developed guidelines for CLG participation in the Section 106 process, but work on these has been held in abeyance pending finalization of the Council's new draft regulations. In the meantime, the Council and various State Historic Preservation Officers have executed Memoranda of Agreement with many local governments concerning the establishment of local programs to handle historic preservation review of housing and rehabilitation projects carried out with Community Development Block Grants and other Federal funds.

Private Sector

Preservation Organizations Formed and Identified

During the last few years, a number of specialized history and historic preservation organizations have been formed. Two of the latest are the U.S. Lighthouse Society and the Art Deco Trust and Foundation. The former publishes LOG, a journal, and calls upon its membership to "make every effort to preserve those remaining examples of our maritime heritage for future generations to enjoy." The Art Deco Trust and Foundation has been organized to encourage the appreciation and preservation of important examples of Art Deco architecture in the United States. The organization plans a 2-year national survey that will create a computerized data bank compatible with the Library of Congress's Cooperative Preservation of Architecture Records program. Other initiatives include development of a national facade easement program in cooperation with local Art Deco societies.

The New York Coalition of Local Landmark and Historic District Commissions met for the first time in Cooperstown to discuss legal and design issues. Participants included about 70 members and staffs of local landmark commissions, along with city planners and representatives of local and regional preservation groups. The coalition is sponsored by the Preservation League of New York State and will serve as a clearinghouse and resource center in efforts to strengthen local programs.

National Campaigns to Preserve Historic Properties

To provide the resources necessary for preservation activities, some preservationists formed nonprofit corporations and initiated national fundraising campaigns.

Funds Sought to Preserve Fort Mifflin and Custer Battlefield

A drive to raise $5 million to restore Fort Mifflin, a National Historic Landmark in Philadelphia, is underway. The Preservation of the Old Fort Mifflin Historic Society is seeking gifts from foundations, corporations, and individuals, and Representative Robert W. Edgar has introduced legislation for a $2 million appropriation. The J. N. Pew Charitable Trust donated

$640,000 in 1985 for the restoration of an 1814 Officers Quarters at the fort.

Interested citizens have also formed the Custer Battlefield Preservation Committee, Inc., to raise $8 million through gifts and donations for use by the National Park Service in acquiring key lands to preserve the scene of the Battle of the Little Bighorn, the most famous conflict between the United States Army and the Plains Indians in the 19th century. Because the 760 acres set aside by Congress to commemorate the battle comprise only about one-tenth of the entire battlefield, the group hopes to enable the Government to buy some 9,000 acres around the present Federal holdings that are now available for purchase.

Civilian Conservation Corps Center Planned

To commemorate the work of the Civil Conservation Corps (CCC), formed in 1933 as part of a Federal program to combat unemployment, the National Association of CCC Alumni is sponsoring a national campaign to raise $3 million to construct a CCC Historic Center. Its purpose would be to preserve the history and accomplishments of the CCC and provide a central repository for records and personal memorabilia.

Mechanical Engineering Records Solicited

The Smithsonian Institution National Museum of American History is inviting the submission of records, plans, photographs, trade catalogs, journals, diaries, correspondence, business records, personal papers, and artifacts related to history of mechanical engineering. Supporting the effort is the American Society of Mechanical Engineering, which urged its members to participate.

Preservation Organizations Celebrate Anniversaries

Other important preservation events of the year included the celebration of the 75th anniversary of the establishment of the Society for the Preservation of New England Antiquities. Founded by prominent Bostonian William Sumner Appleton in 1910, the organization grew from one small office and a $160 treasury to become the custodian of New England's largest and best documented collection of home and family life. Among its holdings are 45 properties in five States.

The Landmarks Preservation Commission of New York City celebrated its 20th birthday in 1985 and continued its forthright positions on issues. The commission declared landmark status for 15 Rockefeller Center buildings and plaza promenade areas.

Preservation Press, the publishing arm of the National Trust for Historic Preservation, marked its 10th anniversary. Its book list includes such classic volumes as "With Heritage So Rich," "What Style Is It? A Guide to American Architecture," and "The Brown Book."

Politics and Preservation

As the private sector has become concerned about saving our heritage, it has become a cohesive political voice at the local, State, and Federal levels of government. For example, the 3-year-old political action committee, Americans for Historic Preservation, claims that 114 of 124 candidates it supported for national office in the November 1984 election were successful. Leopold Adler II, chairman of the committee, declared that "preservation is good public policy and good politics."

Preservationists also continue to organize lobbying efforts, one of which is the Preservation Advocate Program. Sponsored by the Preservation Coordinating Committee, which is composed of the National Trust for Historic Preservation, Preservation Action, the National Conference of State Historic Preservation Officers, and other groups, the program will inform its membership of proposed and pending legislation or congressional action through two newsletters, "A.S.A.P.!Preservation" and the Trust's "Preservation Advocate."

An example of the sophistication of local groups in preparing the case for preservation was the June 1985 issue of "New Orleans Preservation in Print." The Preservation Resource Center booklet presented persuasive arguments against repeal of the investment tax credit. One article explained the benefits of the tax credits and another featured statements from New Orleans and Los Angeles politicians pledging support for retaining investment tax credits.

National Trust's Urban Development Program

The National Trust for Historic Preservation—a leader in the private sector—focused more and more on the economics of historic preservation. This year the Trust selected eight cities to participate in a 3-year demonstration program for the revitalization of commercial areas. Called the Urban Demonstration Program, the effort will attempt to develop practical approaches for stimulating revitalization and ensuring long-term economic stability. Chosen were the central business districts of Knoxville, Tennessee; Dubuque, Iowa; Cheyenne, Wyoming; and Joliet, Illinois; and the neighborhood business districts of Roslindale Square in Boston, Massachusetts; South Side in Pittsburgh, Pennsylvania; Nob Hill in Albuquerque, New Mexico; and Greater Milwaukee Avenue in Chicago, Illinois.

The Jack Daniel Distillery is donating part of its monthly revenues to the Trust to sponsor local restoration projects. The first recipient was the State-owned Scott Joplin House in St. Louis, a rooming-house on the North Side where the ragtime composer resided at the turn of the century. Other revenues went to aid Baltimore's Washington Monument; San Diego's 1865 *Star of India*, the oldest merchant ship afloat; and the Pioneer Mother statue in Kansas City. Fifty cities will benefit in the first two years of a 5-year commitment.

Main Street Program Expands

Approximately 130 communities across the United States currently participate in the National Trust's Main Street program, which has been very successful in revitalizing small towns and preserving and enhancing their sense of place. To help larger cities help themselves, the National Trust expanded the Main Street program in 1985 and invited cities with populations of 50,000 or more to apply. Eligibility for the 3-year demonstration program required each city to have a central business district or neighborhood commercial district with definable boundaries and enough older buildings to give the area a distinctive character.

Trust for Public Land Buys Pacale Adobe

One private organization making signif-

The Trust for Public Land, a national land conservation organization, purchased these turn-of-the-century Sonoran adobe row houses in Tucson, Arizona. They will eventually be rehabilitated and reused for small-scale businesses, low-income housing, and open space. (Photos courtesy of the Trust for Public Land.)

icant contributions to the preservation of historic and cultural property in recent years has been the Trust for Public Land. In 1985, the foundation bought the deteriorating Pacale Adobe in Tucson, Arizona, a Barrio landmark, and will restore the century-old structure for use as apartments and shops. Funding for such activities comes from a Ford Foundation program-related investment loan (PRI), a revolving loan fund that enables the Trust for Public Land to use money in higher-risk situations than would be possible with grant money.

Special Preservation Issues and Problems

Each year certain situations, factors, and problems draw the attention of the preservation community. This year much discussion centered on economic issues. Generating debate were recommendations for decreasing Federal funds for certain preservation activities, proposals to reduce or eliminate the 25 percent investment tax credit for rehabilitating historic buildings used for commercial purposes, Internal Revenue Service rulings that will discourage the donation of architectural records and historic preservation easements, the financial plight of thousands of American farmers whose way of life and historic

urroundings are rapidly disappearing, and he dwindling resources of urban churches hat lead their stewards to consider sale r development of some of their historic roperties.

Other issues noted in 1985 concern the ifficulty of protecting and maintaining the ssential characteristics of historic sites nd buildings from the ravages of heavy- anded adaptation, the incompatible design f new construction, the visual intrusions f proliferating billboards and satellite ishes, the effects of atmospheric pollu- ion, and the continuing debate on what is historic.

The Federal Budget

Beginning in 1982, the Administration has proposed zero funding for the National Historic Preservation Fund and decreased spending for the Council, the Department of the Interior, the Endowments for the Arts and Humanities, and other Federal programs that have assisted historic preservation activity in the past. Proposals to reduce spending for these programs reflect the President's desire to involve more participation from the private sector and to balance the Federal budget.

1985 Historic Preservation Funding

In fiscal year 1984, the Congress passed a full-year continuing resolution to ensure funding for all Federal agencies through September 30, 1985. Included in the resolution was an appropriation of $1,578 million for the Council, permitting the Council to continue at approximately the same level of funding as in fiscal year 1984. The resolution also provided $26 million from the National Historic Preservation Fund for the States and the National Trust for Historic Preservation. A subsequent across-the-board reduction of 2 percent reduced the Council budget to $1,546 million and the fund to $21 million for the States and $4.4 million for the Trust. The Congress also appropriated $343,000 for the National Building Museum to help run its historic preservation programs. This was the *first* time the Congress had appropriated operating funds for the private, nonprofit organization created to commemorate the country's building crafts and architectural heritage.

Historic Preservation Funding Proposed for 1986

Released on February 4, 1985, the President's fiscal year 1986 budget proposal reflected the Administration's previous positions. It proposed to reduce Council appropriations by $346,000 and 10 staff positions. The House Committee on Interior and Insular Affairs recommended a funding level of $24.41 million for the National Historic Preservation Fund in 1986, with $20 million budgeted for the States and $4.41 million for the National Trust. The committee report also included the Republican philosophy concerning historic preservation and recommendations for saving our heritage:

> We agree with the request of the National Park Service that no funds be appropriated for the Historic Preservation Fund. This proposal is based on the conclusion that direct Federal support can and should be replaced by private sector involvement or assistance from State and local governments. In addition, the Economic Recovery Tax Act of 1981 incorporates specific provisions which enhance tax incentives for the rehabilitation of historic buildings. According to the National Park Service budget justification, since fiscal year 1982, over 7,500 projects have qualified for preservation tax incentives representing a private investment of $5.4 billion. We agree with the Administration that these incentives are working and should provide for the preservation and protection of historic properties without Federal support for State programs.
>
> Elimination of funding for the Historic Preservation Fund in no way means that Federal agencies will not be identifying, rehabilitating and protecting historic properties under their jurisdictions; nor that funds are not being spent on historic preservation. The budget for the National Park Service contains funding for such things as the maintenance of the National Register of Historic Places and related activities, preservation assistance, and certification for Federal tax incentives, cultural resource management, the historic landmarks program, and an environmental compliance and review program. In addition, significant funding is also made available at the State and local levels whenever Federal projects are authorized in their areas.

The House passed the Interior and Related Agencies appropriation bill (H.R. 3011) on July 31. The Senate Subcommittee on Interior reported on the bill on September 24, agreeing with the amount proposed by the House for the Council and the Trust and increasing the amount for the States to $21 million. As no final action on the appropriation occurred before the end of the fiscal year, a continuing resolution was passed to continue the Council's budget and the Historic Preservation Fund at 1985 levels in the beginning of fiscal year 1986.

Historic Preservation and Tax Reform

There is no question that one of the most important stimuli for the preservation of historic buildings used for commercial purposes has been the 25 percent investment tax credit. National Park Service information that summarizes tax credit rehabilitation activity through the end of fiscal year 1985 states that 3,117 projects were approved for tax credits this year alone. Since the provisions of the Economic Recovery Tax Act went into effect on January 2, 1982, 10,358 projects have been approved for tax credits. This activity since 1982 has involved 50,826 housing units, 42.4 percent of which (21,585 units) were newly created as a result of rehabilitation.

Even beyond such constructive reuse, historic rehabilitation has had significant effects on the economy. A year ago, President Reagan noted that Federal investment tax credits for historic rehabilitation "have made the preservation of our older buildings not only a matter of respect for beauty and history, but of economic good sense." According to data gathered by the National Trust for Historic Preservation, for instance, projects assisted by tax credits from 1976 through 1984 created 310,000 jobs, $5.5 billion in new earnings, and $19 billion in increased retail sales.

Because of the success of this program in preserving properties and stimulating economic growth, the preservation community was surprised when recommendations appeared for its elimination. The first of these came on November 27, 1984,

R. Greg Hursley

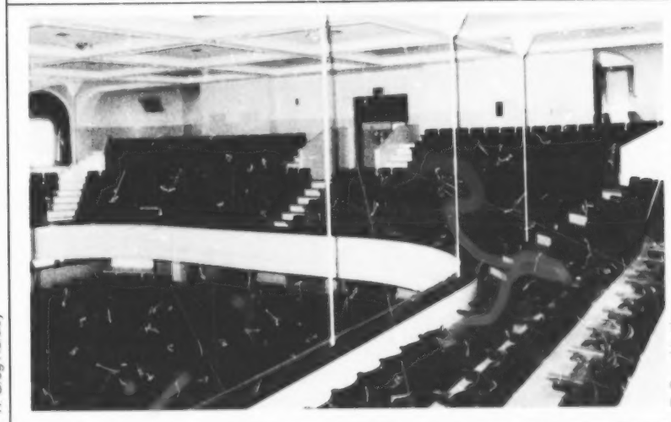
R. Greg Hursley

when the Department of the Treasury released its tax reform study, "Tax Reform for Fairness, Simplicity and Economic Growth." The study called for the repeal of tax credits, including those for rehabilitation, effective January 1, 1986. As justification, the report stated that tax credits may cause some persons to choose investments with smaller economic returns than other investments that are not subsidized. The report noted that, while assisting historic preservation is desirable, it should be accomplished through the appropriations process. It also called for an end to the 5-year amortization for rehabilitation of low-income housing and elimination of certain charitable deductions that further historic preservation goals.

In their analysis of the Treasury Department report on the tax simplification proposal, the Independent Sector, an association of charitable groups, and the National Trust found that:

- Ending the 5-year amortization for rehabilitation of low-income housing would "eliminate an important incentive," possibly terminating the conversion of empty factories and warehouses into elderly and low-income housing.
- Ending charitable deductions for "non-itemizers," coupled with proposals to change tax brackets, would eliminate deductions for perhaps as many as 75 percent of taxpayers.

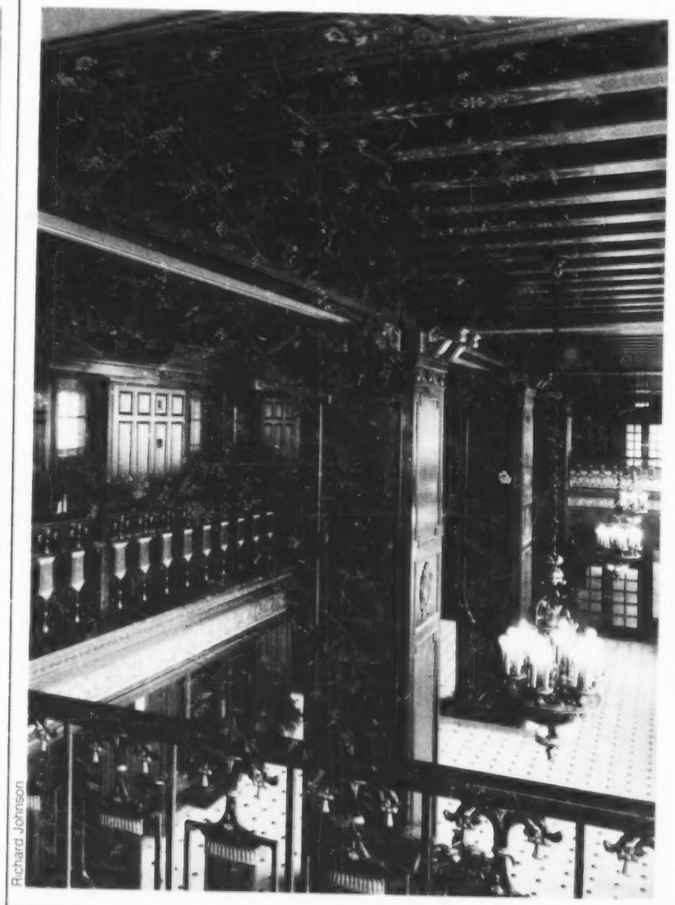
The 25% investment tax credit was an important factor in the cost-conscious decision by Southwestern Bell Telephone Company to rehabilitate Central High School as its State headquarters office building. In designing the rehab, now known as One Bell Central, architects identified certain design forms such as the auditorium to preserve as a reminder of the building's former use. (Photos courtesy of HTB, Inc.)



- Charitable deductions would be allowed only if contributions exceed 2 percent of adjusted gross income. Therefore, those earning $20,000 a year would have to make a gift of at least $400 to earn a deduction.
- Ending deductions for certain properties and objects would encourage owners to sell heirlooms and historic properties instead of donating them for public use and benefit. Tax laws now favor donating estates and collections, thus encouraging preservation and stimulating gifts to nonprofit groups.
- In summary, proposals concerning charitable giving would drastically decrease such gifts. The Independent Sector estimates the loss to charitable causes would be 25 percent, or $13 billion annually.

Despite the Treasury Department's opposition, the Department of the Interior continued to support investment tax credits. In a letter of February 6, 1985, to White House Chief of Staff Don Regan, outgoing Secretary of the Interior William Clark called the program "highly effective." He noted that the Treasury proposal to repeal investment tax credits conflicts with the Administration's public policy of "encouraging historic preservation through stimulation of private investment rather than through direct Federal grants or subsidies." Incoming Secretary Donald Hodel also affirmed his support, stating that he had "worked vigorously" for the 25 percent tax credit as Under Secretary of the Interior under James Watt. However, on May 28, the Administration announced its final position in the matter with a tax proposal calling for elimination of all investment tax credits.

Witsell, Evans & Rasco



Richard Johnson

After replacement of missing light fixtures, refinishing and replacing of red gum paneling, and restenciling of the ceiling, the Lafayette Hotel in Little Rock, Arkansas, has been returned to its original grandeur. The Lafayette, which qualified for investment tax credits, now provides luxurious office accommodations. (Photos courtesy of Witsell, Evans & Rasco.)

©Brian Rose

Brian Rose

The owner of these law offices in Newton, Pennsylvania's Historic District, took advantage of investment tax credit benefits extended for the rehabilitation of historic, income-producing property. The stone building, built ca. 1790, and the adjacent brick storefront building, built ca. 1860, were connected by a rear addition as part of the restoration work. (Photos courtesy of Short and Ford, Architects.)

Scott Brooks Miller

A complex financing package to rehabilitate the Davenport Hotel, a center for Seattle social activity since its 1914 opening, hinges on availability of the 25% investment tax credit. "Urban Conservation Report" quoted the project developer as saying, "With the 25% rehab credit we know we can make it work; without it, it's very marginal." The project would create 325 first-class hotel rooms and 25,000 square feet of retail space.

Vacated by the city in 1978, the Old City Hall in Rochester, New York, stood vacant until its 1982–85 tax-advantaged rehabilitation for office space. (Photo courtesy of Landmark Society of Western New York.)

Iris Snider

In the last months of fiscal year 1985, the Congress attempted to deal with the tax reform issue but was unable to agree in substance on specific proposals. Supporters of the present tax credit system attempted to segregate this issue by special legislative means. On July 16, Senator John Heinz (R) of Pennsylvania introduced Senate Resolution 209, which stated that it was the sense of the Senate that legislation to revise or reform the Tax Code should not contain any provision to eliminate or in any way lessen the efficacy of the historic rehabilitation tax credit. Among the options being considered by the House Committee on Ways and Means was reduction of the tax credit for historic rehabilitation from 25 to 20 percent. Also proposed was a 10 percent credit for nonhistoric buildings constructed before 1935, thus eliminating previously existing higher rates of 15 and 20 percent for structures at least 30 or 40 years old, respectively.

While debate on the issue continued during the summer of 1985, observers noted that renovation activity fell during the latter part of the fiscal year. In Las Vegas, New Mexico, for example, the uncertain future of tax credits jeopardized the city's largest proposed restoration project, a $2.4 million development that would restore 18 buildings in La Plaza Vieja, the historic heart of the old town. Congress will consider the proposed tax changes in fiscal year 1986. Separate resolutions passed by the House and the Senate call for retention of current-law rules through the end of 1986. The passage of these resolutions suggests that rehabilitation tax credits may be retained for this period in any tax reform bill enacted into law.

Internal Revenue Interpretations

Appraisal of Easements

One of the most damaging developments for preservation in 1985 was the interpretation of the value of historic easements rendered by the Internal Revenue Service (IRS). The local IRS office in Washington, D.C., has taken the position that historic easements generally increase rather than decrease the value of a building; therefore, easement donations have little, if any, monetary value.

Reductions of easement values to zero by the IRS and disallowance of deductions have also been reported in other cities. In a letter to Representative Peter Kostmayer dated October 23, 1984, the IRS Regional Commissioner of Philadelphia reiterated the IRS view that buildings with easements generally sell at higher prices than buildings without easements. Property owners found guilty of overevaluation have been asked to pay back taxes plus interest. Since January 1, 1985, a 30 percent penalty has been added to gifts that the IRS judges are overvalued by more than 150 percent.

The Tax Reform Act of 1984 directed increased IRS attention to easement donations. Current and proposed regulations require a qualified appraisal to determine the value of donated property. A new study by the National Trust for Historic Preservation and the Land Trust Exchange may help to solve the problem. Drawing upon the experience of a 35-member advisory panel of appraisers, attorneys, and preservation experts, "Appraising Easements" treats under one cover the commonly accepted methods for easement valuation.

Architectural Records Rulings

Internal Revenue Service rulings also affected the disposition of architectural records. The IRS has been allowing architects who donate their drawings to institutions to deduct only the cost of the materials used to produce them. However, the IRS now requires that the value of retained drawings be included in the assessment of estate taxes, a position that may motivate holders to destroy their entire collections.

Rural Preservation

The preservation of historic properties associated with the history of agriculture and the agrarian movement has been threatened in recent years by the decline in farm income and the increase in farm debt, both of which have led to abandonment of farms and deterioration of buildings and structures that represent the rural way of life.

The Farm Problem

Only 3 percent of Americans live on farms today, compared with 25 percent five decades ago. The U.S. Department of Agriculture estimates that one in five farmers

These photographs show three examples of the havoc wrought by soil erosion: an unprotected corn field after a brief storm in western Tennessee, exposed subsoil layer on a hillside in eastern Washington, and water erosion along a creek bed in Kentucky. The Soil Conservation Service of the Department of Agriculture estimates that every year the United States loses 5 billion tons of its best topsoil to erosion. (Photos courtesy of the USDA Soil Conservation Service.)

Tim McCabe

E.W. Cole

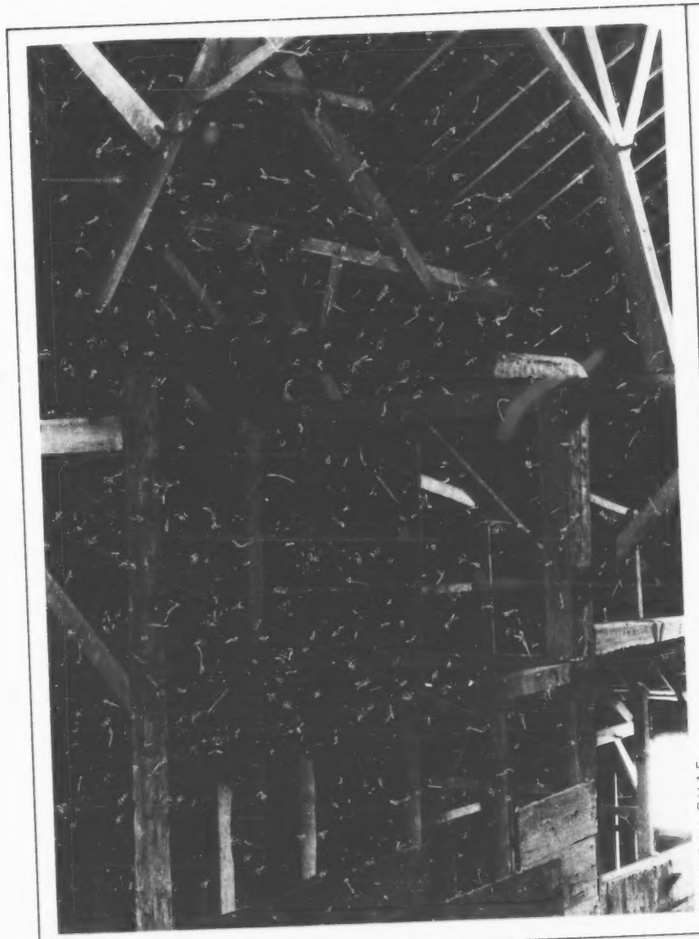
in America will be forced out of business in the next five years. If this happens, many historic farms and farm structures would be lost through neglect and demolition, in addition to other related losses.

Economic farm problems are compounded by increased erosion that depletes the land. The Soil Conservation Service of the Department of Agriculture estimates that every year the United States loses 5 billion tons of her best topsoil to erosion. More than 225 million acres of fragile, highly erodible lands in the West are fast becoming barren at a rate greater than that experienced during the Dust Bowl years. The results of economic decline, population shifts, and the loss of productive land have devastated traditional farming. Ward Sinclair described the scene in the "Washington Post" on March 29:

> Here in Nebraska, the landscape is dotted with old farmsteads—the buildings in abandoned disrepair, the land around them in cultivation. In the Dakotas, old farm houses, outbuildings and fences are simply torn down and the plow put to the land. In once bustling Iowa farm villages, storefronts stand vacant and boarded up on Main Street, symbols of failure, unlikely to revive.

Recording Farm History

In Delaware, preservationists are attempting to preserve through documentation some of the history that is being lost. In the summer of 1980, a group of concerned individuals formed an organization called the Friends of Friendless Farm Buildings and began a program of recording significant examples through a uniform method of field notes, photographs, and measured drawings. They included not only barns



David L Ames, C.H.A.E.

David L Ames, C.H.A.E.

The large two-level barn with its attached animal shed is Cochran Grange Bank Barn in St. Georges Hundred. (Photo courtesy of the Center for Historic Architecture & Engineering, University of Delaware.)

The Friends of Friendless Farm Buildings have documented over 50 farm buildings in Delaware through measured drawings and large format photography. Many are demolished buildings like the pictured Doe Run Barn in Mill Creek Hundred. (Photo courtesy of the Center for Historic Architecture & Engineering, University of Delaware.)

David L. Ames, CHAE

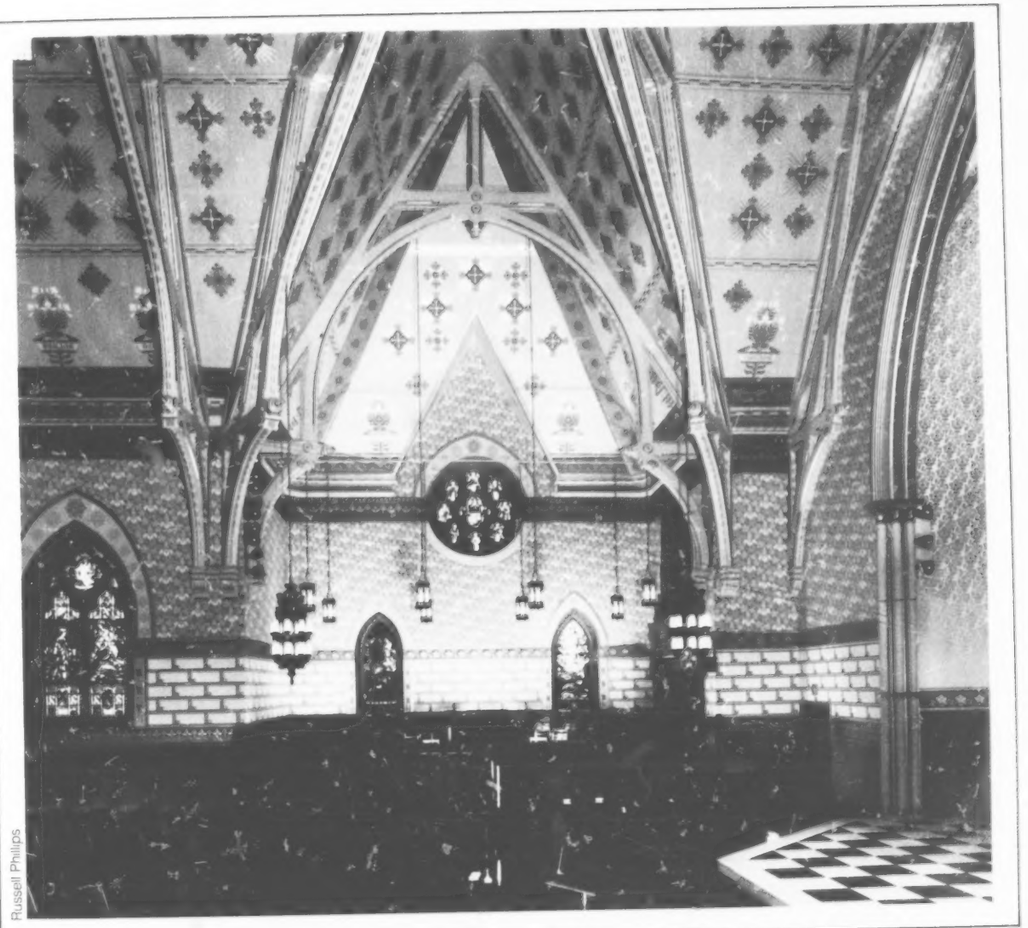
and farmhouses, but also many other kinds of rural structures like slave quarters, smoke and meat houses, kitchens, and dairies. Recently, the University of Delaware, the Historic American Buildings Survey, and the Delaware Department of Transportation have funded the recordation of a number of structures in the State, including 15 buildings in Castle County.

Churches and Preservation

In the past few years, church officials and preservation leaders have often found themselves on opposite sides of preservation issues, in spite of the fact that both groups have a strong sense of tradition. The latest confrontations, coming as they have on the eve of the 50th anniversary of the Historic Sites Act, have been particularly interesting, since this legislation dealt with the issue of church and State, prohibiting in Section 2(d) of the act acquisition by the Federal Government of any historic religious property without the consent of the owner.

Why Churches Want to Sell

Church authorities must often consider economic and social conditions in their decisionmaking. Some churches find themselves with smaller congregations, aging



Russell Phillips

The restoration of Chicago's Cathedral of St. James to its original elegance reversed previous alterations and modernization that had left the cathedral with only the outlines of its architectural character. The need for rehabilitation prompted a thorough study of the cathedral's history and led to the accurate recreation of its Arts and Crafts interiors. (Photo courtesy of Holabird & Root.)

The interior of the Charles Street Meeting House in Boston, Massachusetts, has been turned into residential, office, and commercial space. The outside of the building has been preserved and much of the interior fabric remains intact. The design has been praised for the way in which it preserves the structure's integrity while adapting the building to meet contemporary needs. (Photos courtesy of John Sharratt Associates Inc.)

© Steve Rosenthal

J. David Bohl

The bricks of the Old West Church are becoming brighter than they have been in years. Located among the highrise towers of Boston, the 1806 church is undergoing major facade restoration and preservation. (Photo courtesy of the Society for the Preservation of New England Antiquities.)

membership, and diminishing resources as maintenance and energy costs are rising. Because of reduced government spending on social service programs, churches have been called upon even more than in the past to provide necessities of life for the less fortunate. Church properties occupying valuable sites are potential sources of the income needed to further religious ministries.

Preservation observers have seen more and more Catholic dioceses renovating churches in response to the 1965 Vatican II guidelines, stripping church interiors of ornament, artwork, and statuary. A case in point is the Cathedral of SS. Peter and Paul in Indianapolis, Indiana, where plans include renovating the interior of the 1905 structure and demolishing the 1890's rectory to create a public plaza.

The most publicized dispute between church officials and preservationists is undoubtedly that concerning St. Bartholomew's Church on Park Avenue in New York City. The church hierarchy petitioned the New York City Landmarks Preservation Commission for permission to tear down the community house of its Bertram Goodhue-designed church to build a skyscraper. A portion of the income from the new building would be used to aid the poor. The commission had turned down an earlier proposal by the church, stating that new construction would damage the whole complex.

In San Francisco, the Catholic archdiocese led an attempt to exempt religious buildings from Article 10 of the city planning code, San Francisco's landmark ordinance. The effort followed a year of church opposition to landmark designations for St. Boniface Catholic Church, Mission United Presbyterian Church, and the First Congregational Church. On April 16, 1985, preservation groups and other organizations, some including clergy, convinced two of the three members of the Planning, Housing, and Development Committee of the city's Board of Supervisors to reject proposals for exempting church property from landmark designation.

Adding On

One of the age-old methods of adapting a building to changing times is to add to it. Typical examples are New England farmsteads, where buildings flow from buildings and where ells, lean-tos, dormers, and sheds are common features. When dealing with historic structures, architects and builders must consider compatibility, for additions should harmonize with existing structures. Preservationists have spent thousands of hours conferring on this issue, preparing guidelines and making recommendations. According to Duo Dickinson, author of "Adding On" (McGraw Hill, 1985), part of the difficulty in achieving harmony rests with contracting architects, many of whom feel stifled by the need to blend their work with another's basic design. Too often, they assert their individuality by imposing onto a building an addition that does not fit. Whatever its causes, adding on remains a much-debated issue. Project certification for investment tax credits, however, has gone far in standardizing the approaches architects take

Jon B. Peterson

Jon B. Peterson

The tower addition to the Mid-Continent building in Tulsa, Oklahoma, is a remarkable engineering feat. An adjacent new building cantilevers out 40 feet over the original 16-story building and rises 20 more stories without transferring any weight to the historic structure. The new building is faced with prefabricated terra cotta panels that match the original Tudor Gothic facade. Though the two buildings are entirely independent, with a 10-inch separation space, they visually merge into one continuous form. (Photos courtesy of HTB, Inc.)

in adding on to properties listed in the National Register of Historic Places.

Facadism

A related issue now prominent in the preservation field is "facadism," the retention of the outsides of historic structures in new development projects. Examples of the phenomenon abound in urban areas. In Salt Lake City, Utah, for instance, the cast-iron facade of the 1876 Zion Commercial Mercantile Institution stands embedded in the concrete wall of a modern shopping mall. Four blocks from the White House in Washington, D.C., a row of 19th-century townhouses forms an entrance to a massive modern structure, with an enclosed courtyard connecting the shells of the former townhouses with the highrise behind them. Indeed, facadism is becoming increasingly popular in our major cities because developers have found that it is a practical solution that is accepted by much of the preservation community.

Those who oppose facadism see it as an aberrant form of taxidermy, keeping a building's skin but removing its life and substance. A "Preservation News" editorial noted that "the new choice seems to be high-rise or high-rise-plus-pasted-on-history." Opponents claim that while more buildings, or at least significant portions of them, are being preserved, they are often overpowered by or feebly incorporated into adjacent developments. Often the facade survives as a sop to preservationists, enduring only as a front for a huge office building or commercial enterprise. In such cases, a trace of the original remains, but its character has been changed. Critics point to the development at 53 State Street in Boston, which rises

Candace Clifford

Candace Clifford

The problems of compatibility and creating additions that harmonize with the past are growing concerns of preservationists. Developers are finding that facadism is a practical way to compromise with the preservation conscience and to move projects forward more quickly. Those who oppose facadism feel the substance and character of the buildings are being destroyed by this practice of retaining only the "skin" of a historic structure.

Rollin R. La France

In many cities, architects are incorporating the facades of old buildings into their designs of new ones. The 4-story Egyptian Revival facade from the former headquarters of the Pennsylvania Fire Insurance Company serves as the entrance for the modern 21-story Penn Mutual Office Tower in Philadelphia, Pennsylvania. (Photo courtesy of Mitchell/Giurgola Architects.)

mightily in back of one-fifth of the old Stock Exchange. The Boston Preservation Alliance recently filed suit against the Lincoln Property Company to stop development at One Franklin Place, where plans call for saving the facade and front 30 feet of the 1874 Kennedy Building as a frontispiece for a 20-story office tower.

Opponents of facadism believe that the developers will use it more and more not only to destroy the contributing structures in historic neighborhoods but to compromise the very best we have. In San Francisco, opposition to facadism generated prohibition of the practice in the city's new downtown plan.

Benjamin Forgey of the "Washington Post" defended the technique, stating that it is "a solid contribution to the limited list of design alternatives in a tightly packaged city such as Washington." Others have noted that facadism helps to maintain the human scale in our metropolitan areas and preserves the traditional streetscape. Those who support facadism point to the fact that many significant old buildings do not meet new codes and other requirements and would otherwise simply continue to remain vacant and deteriorate. Some historians argue that facadism may be a sign of the maturity of our society, noting that it indicates a respect for every facet of the past.

Handicapped Access

The National Trust for Historic Preservation is addressing the issue of improving access for the disabled to historic properties without impairing the properties' character. A grant from the National Endowment for the Arts permitted the Trust to evaluate six of its properties for handicapped access. The Trust will also provide advice to other property owners and award grants of up to $1,000 to implement model access programs.

Preserving Historic Settings and Landscapes

Visual effects are of great concern to those wishing to preserve the historic setting of a property or perpetuate a historic scene, and developments in a rapidly changing technological society sometimes make preservation difficult. In 1985, the Council noted an example of this problem when the Federal Communications Commission proposed to preempt State and local zoning restrictions and other regulations that permit restriction of satellite dishes. According to the National Alliance of Historic Preservation Commissions, this proposal could have a devastating effect on some historic districts, especially in rural areas. The proposed rule would make it difficult for communities to follow the example of Harper's Ferry, West Virginia, which recently outlawed satellite dishes to protect the visual integrity of both the town and Harper's Ferry National Historical Park. Joining the Alliance in opposing the rule were the National League of Cities and the National Trust for Historic Preservation.

Others concerned about the preservation of historic settings are those who protest the rapid proliferation of billboards. As

Edward McMahon recently put it in "Preservation News": "From sea to sea America is being swamped by a rising tide of visual pollution. America the beautiful is becoming America the ugly, the home of billboards, flashing signs and endless clutter." Of the 500,000 billboards in the United States, 320,000 have been erected since 1965. Some States have taken steps to regulate billboards. Alaska, Maine, Oregon, Vermont, and Washington have virtually eliminated them, and in Hawaii they have been illegal since 1926. In 1984, Florida outlawed billboards on new highways, and a number of cities, including Austin, Dallas, Denver, Houston, Little Rock, San Diego, and Seattle, have outlawed them. To lobby nationwide, interested citizens recently formed the Coalition for Scenic Beauty, with headquarters in Washington, D.C.

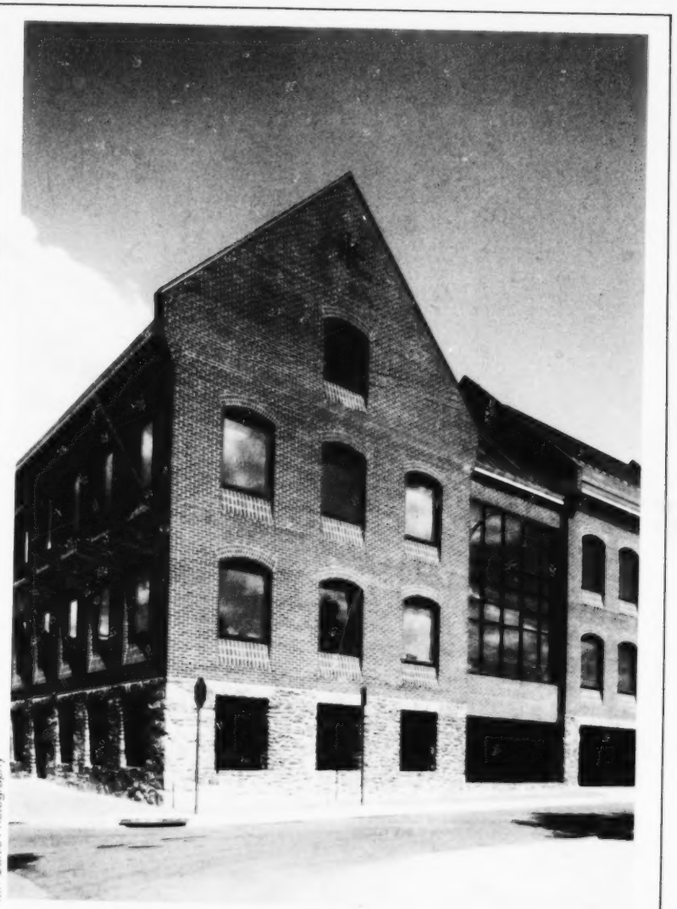
Acid Rain

Experts estimate that 20,000 to 25,000 public sculptures in the United States are deteriorating due to acid rain and other environmental hazards. A number of public and private agencies and organizations are devoting research efforts to identifying the scope of the problem and developing ways to protect cultural property from atmospheric damage. At the Federal level, the National Park Service has created a data base to document the distribution and physical characteristics of a sample of significant outdoor sculptures in the eastern United States and recently released a comprehensive survey of monuments in the District of Columbia. Surveys on a modest scale were undertaken privately in Texas, and the Association for Gravestone Studies plans research in the Northeast. The American Association for State and Local History has joined with the National Institute for the Conservation of Cultural Property to provide a grassroots network of history organizations and volunteers to assist in the study of public monument conservation.

Acid rain adversely affects buildings as well as monuments and sculpture. A study recently completed by the Environmental Protection Agency and the Army Corps of Engineers states that every year acid rain results in about $5 billion worth of structural damage in 17 States.

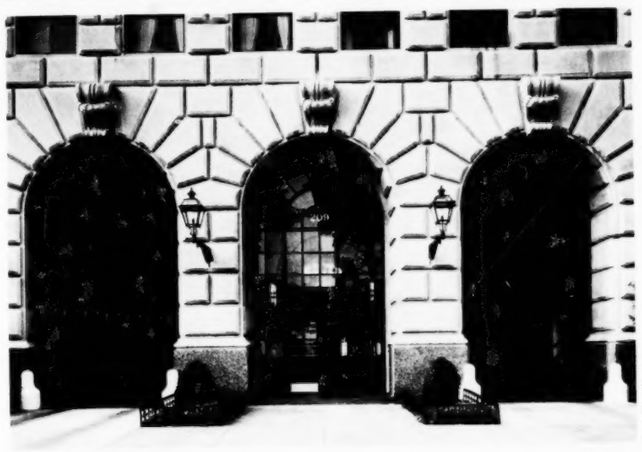
Historic Districts: Changing Views

Differing views as to what is historic continue to stir public debate and action. In 1983, the City Council of Alexandria, Virginia, abolished the Board of Architectural Review for its Old and Historic District and created a new one. The City Council believed that only Georgian, Federal, Greek Revival, and Victorian buildings were appropriate in the Old and Historic District, whose atmosphere the City Council has tried to perpetuate through the investment of large amounts of money. The



MP Curtis Photography

Alexandria's Old Town Historic District has been the subject of lively debate about what architectural styles are appropriate within its boundaries. The 18th-century port city retains a substantial amount of its original building stock, which is largely Georgian, Federal, Greek Revival, and Victorian in style. The design of this new commercial building on the waterfront makes it a superb contemporary addition to the historic neighborhood. The stone foundation work, reflective of 18th-century warehouses in the area, is a clever solution to flood-plain siting. (Photo courtesy of Rust, Orling and Neale, Architects, Inc.)



Bob Thall

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Historic districts typically must be at least 50 years old to be considered for listing in the National Register of Historic Places. This means that more and more 20th-century areas are becoming eligible. The East Lakeshore Drive Historic District, built from 1912–1929, was recently listed. Its grand old buildings typify the elegant era that developed in early 20th-century Chicago. (Photos courtesy of the Commission on Chicago Historical and Architectural Landmarks.)

Board of Architectural Review, on the other hand, had recognized in its review of projects the contributions of many architectural styles to the character of the district. In a clear message to the City Council, the Virginia Historic Landmarks Commission issued an expanded statement of significance for the Alexandria Historic District shortly after fiscal year 1985 began. Styles specified as valuable to the district included Art Deco, Neoclassical, Bungalow, American Foursquare, and Second Empire.

In Silver Spring, Maryland, some citizens objected to efforts to preserve Art Deco-style buildings in the city's downtown. One opponent called Art Deco "one of the worst qualities of architectural design -a cold gray geometry of boring, simplistic lines that calls attention to itself by its overt shyness" ("Washington Post," September 8, 1984).

The small community of Waterford, Virginia, has been recognized as a National Historic Landmark for more than a decade. This year a Loudoun County review board, acting under a protective ordinance, ordered a resident to stop replacing a picket fence with a modern one. Lawsuits followed based on the issue of property rights, but the matter was finally settled out of court when the Waterford Foundation paid half the price of a new wooden enclosure. According to one observer, locals viewed the dispute as "poor people being dumped on by the white wine and brie-eating set" ("Preservation News," March 1985).

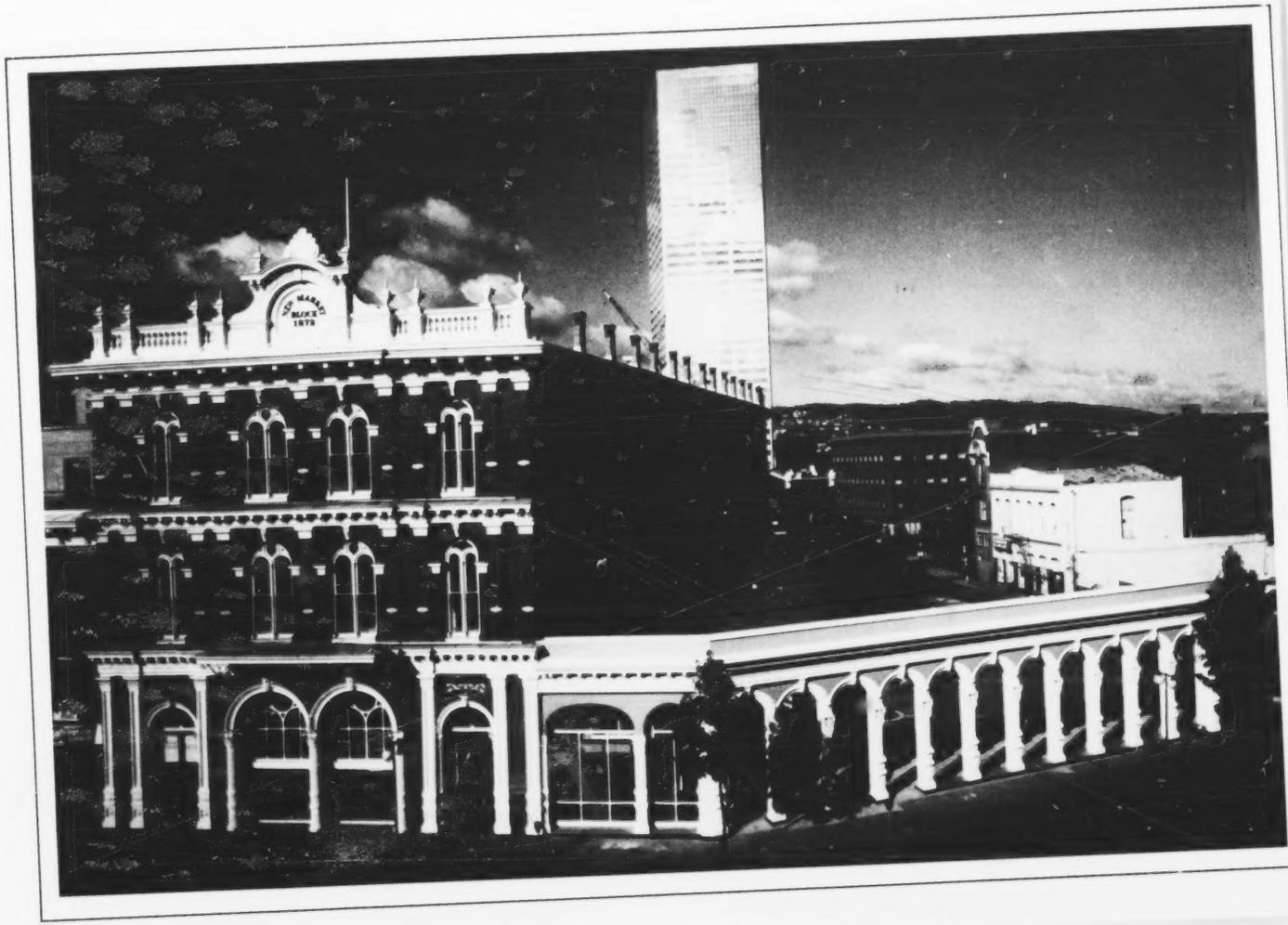
In Indianapolis, Indiana, the debate involved infill construction in historic districts. When a developer proposed to construct three apartment buildings within Old Northside Historic District, a National Register area protected by local ordinance,

An important part of preservation information is training and education. Washington, D.C.'s Cooperative Employer Education Program trains entry-level workers in the construction trades as they work on houses loaned to the project by the city. The restored houses are then given to public housing tenants. (Photos courtesy of the Home Builders Institute, the educational arm of the National Association of Home Builders.)

the Old Northside Neighborhood Association obtained an injunction against the sale of the lots on the grounds of a technical infraction of the requirements for public notice. The neighborhood association sought the injunction because it believed that the design of the apartment buildings was incompatible with the Victorian houses in the district, advocating instead construction of new Victorian-style structures. The Indianapolis Historic Preservation Commission, which had approved the design, held that replica buildings were inappropriate. Rather than lose time in litigation, the developer negotiated with the opposition and redesigned the structures to make them appear more like the older buildings in the neighborhood. To avoid future problems, the Indianapolis Historic Preservation Commission called upon local associations in the city's five historic districts to form an ad hoc committee to develop guidelines for review of future projects, and specifically to find ways of taking neighborhood tastes and preferences into account in the review process.

Preservation Information

Each year, books and other publications appear that preservationists can use to assist them in their work. In recognition of the continuing need for preservation information, and because of the lack of bibliographies and critical commentary on recent historic preservation material, the Council in 1982 prepared "Where to Look: A Guide to Preservation Information" (Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402, Stock number 052-003-00879-3, 88 pages, $5.50).



Stephen Cridland

especially welcome this year was the publication of the first edition of the "Historic Preservation Yearbook," a projected annual compilation presenting a survey of viewpoints, facts, and figures on historic preservation during 1984–1985. Included in the volume are sections on preservation law and organizations, government involvement, policy disputes, financing techniques, and current problems, with emphasis on reproducing pertinent articles and official documents.

Also appearing during 1985 was "The Technology of Historic American Buildings," edited by H. Ward Jandl and published by the Foundation for Preservation Technology. The book is a collection of seven monographs written by experts and scholars on such subjects as hand-forged iron builders' hardware, wrought iron structural beams, cast iron structures, and architectural terra cotta.

For those interested in the protective aspects of preservation, the Landmarks Preservation Council of Illinois produced a useful reference work on "Zoning and Historic Preservation," which surveys techniques currently being used by cities across the country to further preservation goals. Also, the Advisory Council on Historic Preservation published "Federal Historic Preservation Case Law," which reviews the development and interpretation of Federal historic preservation case law since the passage of the National Historic Preservation Act in 1966. For a full description of this report, see page .

Finally, the National Trust for Historic Preservation published "All About Old Buildings: The Whole Preservation Catalog." This long-awaited volume covers a host of historic preservation topics and includes chapters listing sources on the historical precedents and philosophical underpinnings of the movement, as well as technical and legal advice on how to accomplish preservation activities.

Conclusions

Economic forecasters are now recognizing preservation and adaptive use as important forces in the marketplace. An econometric model has been developed by the National Trust for Historic Preservation to measure the secondary benefits of historic preservation. Data from this model indicate that every $100,000 spent on historic preservation rehabilitation results in $253,000 in retail sales and $74,000 in new earnings. A pilot study conducted in 1984 by the Bank of Boston, the National Trust for Historic Preservation, and the Council for Northeast Action found that rehabilitation of 33 commercial structures in Boston resulted in a tenfold increase in their local tax value.

The investment tax credit program for the rehabilitation of historic buildings was the most successful Federal activity in stimulating preservation for commercial purposes in 1985. The private sector's initial investment was repaid many times. Other important Federal programs stimulating preservation include CDBG's, UDAG's, direct appropriations to Federal agencies, and assistance to private, State, and local programs supporting preservation.

Yet because of efforts to balance the budget, the future of Federal programs stimulating preservation is uncertain. The tax credits program is undergoing reevaluation, and the Administration has proposed to reduce the National Historic Preservation Fund, reduce funding of CDBG's, and eliminate UDAG's altogether in favor of private sector involvement and assistance from State and local governments.

Legislation has provided the Federal Government with the means through which to deal effectively with the preservation of our nationally significant resources. Without programs to implement this legislation, many feel that the momentum achieved in this past half-century would be jeopardized.

In the 50 years since the National Historic Sites Act of 1935 was passed, national preservation policy has expanded beyond protecting national historic landmarks and providing a legacy of historic resources for the benefit of future generations. Current preservation programs promote everyday environments that are not only esthetically pleasing, but also serve as settings for the positive economic growth and community rejuvenation that makes this Nation prosperous and contributes to its remarkable cultural character.

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Originally constructed in 1872 to house a marketplace and a Victorian theater, the neglected New Market Theater was nearly condemned in 1976. However, Portland's increasing interest in revitalizing and preserving its downtown core saved the building. An award-winning design for reuse has restored the ground level into shops, markets, and restaurants and the upper level into office space. (Photo courtesy of SERA Architects, P.C.)

Overleaf shows a detail of the Headhouse Atrium of the St. Louis Union Station. (Photo courtesy of the Rouse Company of St. Louis.)